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2 JANUARY 1980

REGULAR MEETING

*= Minutes*  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 2, 1980 at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

**DOCUMENTS DEPT.**

Commissioner Siggins presiding.

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POLICE COMMISSION RESOLUTION REQUESTING THE CIVIL SERVICE COMMISSION TO PERMIT APPOINTMENTS FROM Q-2 LIST E-91 TO ACADEMY CLASSES IN ACCORDANCE WITH THE PLAN PREPARED BY THE AUDITOR/MONITOR.

Chief of Police Cornelius P. Murphy stated that his Staff had prepared a resolution to address the issue and that Mr. Jeff Rothman from the Consent Decree Unit is here to speak to it.

Mr. Rothman then stated that the requested resolution before the Commission at this time for passage and forwarding to the Civil Service Commission which is the agency that controls the method of certification of the E-91 Q2 Police Officer list. He said the Civil Service Commission will hold a special meeting tomorrow afternoon and make a determination as to whether they will require direct order hiring or whether they will allow an exception to the rank order hiring.

The Commission then on motion by Commissioner Jane Murphy and seconded by Commissioner Toler adopted the following resolution:

RESOLUTION NO. 13-80

REQUESTING THE CIVIL SERVICE COMMISSION TO PERMIT APPOINTMENTS FROM Q-2 LIST E-91 TO ACADEMY CLASSES IN ACCORDANCE WITH THE PLAN PREPARED BY THE AUDITOR/MONITOR.

WHEREAS, the U.S. District Court Judge Robert E. Peckham, has issued an order concerning

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the composition of appointees to Q-2 Eligible List E-91; and

WHEREAS, the Auditor/Monitor for the Consent Decree has proposed a plan which would integrate female and bilingual officers throughout Academy Classes #134, 135, 136, and 137, now, therefore be it

RESOLVED, that the Police Commission hereby requests the Civil Service Commission to permit appointments from Q-2 List E-91 to Academy Classes in accordance with the plan prepared by the Auditor/Monitor.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

Officer Jack Ballentine, San Francisco Police Officers' Association, then requested to speak and stated that the Auditor/Monitor has in his possession a letter that the Police Officers' Association wrote to him regarding the proposed blending issue for list E-91 and speaks directly to the issue of seniority rights of the individuals after they are hired. He said there are methods of adjusting the seniority so that those who are hired, if the Auditor/Monitor's proposal is adopted, out of rank order, the Police Officers' Association would have some assurances that adjustments could be made within the Police Department as far as seniority rights are concerned for the individuals affected. He stated that also in that letter was an alternative proposal that was mentioned which they thought would expedite the process was to hire the last 80 candidates off the E-91 list at the same time and they would all have the same rank order of appointments.

Commissioner Murphy then moved that the letter from the Police Officers' Association written to the Auditor/Monitor be forwarded to the Civil Service Commission with appropriate comments from the Chief for their consideration at the January 7th meeting.

Commissioner Toler then seconded this motion.

Commissioner Siggins then stated that the Commission would be opposed to the Police Officers' Association alternative proposal in hiring the last 80 candidates.



The motion then passed with the last statement as made by Commissioner Siggins to be forwarded to the Civil Service Commission in writing.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2250 FRANKLIN STREET - ST. BRIDGETS SCHOOL

- a) At 2250 Franklin Street, install a 44' white zone, extending from 25' to 69' north of south property line.

325 SACRAMENTO STREET - KANSAI RESTAURANT

- a) At 325 Sacramento Street, install a 26' white zone, extending from east property line 26' west of same.
- b) Revoke that part of yellow zone at this address.

145 GUERRERO STREET - FRANCIS OF ASSI COMMUNITY

- a) At 145 Guerrero Street, revoke 22' red zone, extending from 10' to 32' north of south property line.
- b) At 145 Guerrero Street, replace with a 22' white zone, extending from 10' to 32' north of south property line.

APPROXIMATELY #2 GOLDEN GATE AVENUE - GOLDEN GATE THEATER

- a) At approximately #2 Golden Gate Avenue, install a 66' white zone, extending from 15' to 81' west of east property line.
- b) Place meters with signs "Passenger zone after 6 P.M."



#1 TAYLOR STREET - GOLDEN GATE THEATER

- a) At #1 Taylor Street, install a 44' white zone, extending from 10' to 54' north of south property line.
- b) Install meters with sign "Passenger Zone after 6 P.M."

#1 TAYLOR STREET - S.F.P.D.

- a) At #1 Taylor Street, revoke existing 16' yellow zone, extending from 38' to 54' north of south property line.

940 POWELL STREET - THE RESIDENCE CLUB

- a) At 940 Powell Street, revoke existing 52' white zone, extending from south property line, 52' north of same.

2726 SAN BRUNO AVENUE - CALLISON MOVING COMPANY

- a) Revoke existing 22' yellow zone, extending from 22' to 44' south of north property line.

1160 POLK STREET - S.F.P.D. - THE MOCAMBO

- a) At 1160 Polk Street, revoke existing 44' white zone, extending from 44' south of north property line.
- b) Remove signs from meters.

979 CLAY STREET - S.F.P.D. - Y. W. C. A.

- a) At 979 Clay Street, revoke existing 27' yellow zone, extending from 12' to 39' east of west building line.

1701 BAY STREET - S.F.P.D. - MARINA MIDDLE SCHOOL

- a) At 1701 Bay Street, revoke existing 66' white zone, extending from 10' east to 56' west of the east building line.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez



REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 275 feet of red, white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

Commissioner Siggins then stated that he thought it was significant to note that at the end of 1979 when the statistics were put together, Commander Seghy presented them to the Commission, and that in granting of the different colored zones there were 6726 feet granted and that in revocations there were a total of 7163 feet. He said as long as the Commission can stay ahead of that then the City is in good shape.

RESOLUTION NO. 1-80

BELINDA PARIS MOON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Belinda Paris Moon against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 18, 1979

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 2-80

CALIFORNIA STATE AUTOMOBILE ASSOCIATION AND DAVID FINKLESTEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the



California State Automobile Association and David Finklestein against the City and County of San Francisco in the sum of \$456.46 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 21, 1979

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 3-80

LULA M. YOUNG AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Lula M. Young and her attorney in the sum of \$3,800.00 in Superior Court Action No. 715-455 entitled "Lula M. Young, Plaintiff, vs. City and County of San Francisco, a municipal corporation, Defendant, " as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 10, 1976

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 4-80

GEORGE W. WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George W. Williams against the City and County of San Francisco in the sum of \$36.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 27, 1979

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez



RESOLUTION NO. 5-80

ELEANOR DI MAGGIO AND HARTFORD ACCIDENT & INDEMNITY COMPANY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eleanor Di Maggio and the Hartford Accident and Indemnity Company against the City and County of San Francisco in the sum of \$945.46 in Municipal Court Action No. 786-083 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 17, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 6-80

RICHARD ROGERS AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Rogers and his attorney against the City and County of San Francisco in the sum of \$1,300.00 in Superior Court Action No. 694-457 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 30, 1974

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 7-80

RENA T. DORN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim



of Rena T. Dorn against the City and County of San Francisco in the sum of \$92.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 23, 1979

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 8-80

WILLIAM WALKER AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of William Walker and his attorney in the sum of \$15,000.00 in Superior Court Action No. 737-835 entitled "William Walker v. City and County of San Francisco, et al.,," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 18, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

Commissioner Siggins then commented about the claim of William Walker, an added item to the Consent Calendar. He said that he understood the William Walker claim, and he remembered it very well, because he was here before the Police Commission. He continued by saying that he thought that Central Station should know that the City is recommending a payment of \$15,000.00 dollars. He said that members of Central Station denied that anyone had been hurt over there on the night in question, and the Commission, when two members of Central were being charged with excessive force, found that they were not guilty. But, he said, he was impressed with the testimony of some of the people that were arrested that night and one of them was a prominent business man. This man, Walker, was beat up in that station but he could not identify the guilty persons and the Commission did not sustain the Charges. But, he said, he thought that somebody at Central Station should be advised that the City is paying \$15,000 dollars for the actions that went on in Central that night. He stated that he,



as one Commissioner, did not like it.

The other Commissioners also echoed Commissioner Siggins's feelings in that regard.

RESOLUTION NO. 9-80

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR DUANE OTIS, INVESTIGATIONS BUREAU (YOUTH SERVICES DIVISION) AT A DELINQUENCY CONTROL INSTITUTE AT LOS ANGELES, CALIFORNIA, FROM JANUARY 21, 1980 TO MARCH 14, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Duane Otis, Investigations Bureau (Youth Services Division) be detailed to attend the Delinquency Control Institute, at Los Angeles, California, from January 21, 1980 to March 14, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Assistant Inspector Duane Otis, in a sum not to exceed \$2,576.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 10-80

TRAVELING EXPENSE VOUCHERS APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Kelvin Brown Support Services Bureau	) \$594.50 (Middle Manage- ment Training ) (Course, Kelsey-	
Lieutenant Willie E. Frazier Police Commission Office	) (ville, California, ) (from November 26,	



Lieutenant Franklin Greer ) (1979 to December  
Support Services Bureau ) (7, 1979, inclusive.  
Lieutenant Arthur Lockwood )  
Support Services Bureau )

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 11-80

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved.

Lieutenant Lionel T. Hess) \$238.00 (Unusual Incidents Crime Specific Task Force) (Command Training (Course, Eureka, (California, from (December 2, 1979 (to December 14, (1979, inclusive.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 12-80

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved

Police Officer Bob C. Davis) \$528.00 (Narcotics In-Vice Crimes-Narcotics ) each (vestigators (Course, Sacra-



AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy; "I have one item. I want to discuss some recent transfers that were made, as a matter of fact they were made to be effective today. That's where we transferred 8 Assistant Inspectors into the Youth Services Division to re-emphasize juvenile investigations, crimes committed by and against juveniles. In order to do that we had to transfer 8 - Q2 patrolmen out of that specific unit who were assigned to school patrols. That is so we could keep and maintain a balance of uniformed officers on the street. We are faced with the Consent Decree where we have to promote x number of officers on the Assistant Inspectors list, as well as the Sergeants list, over the next couple of years. So, to do that, we are replacing some officers in the Hall of Justice with Assistant Inspectors and Sergeants as they become available, so in effect by taking those 8 - Q2 patrolmen out of the Youth Services we are going to transfer that function into the District Station level where it will be administered by the District Station Captain. It may not necessarily be those same officers doing that function but it will be picked up at that level in the Department. So we are not abandoning that and by making that Youth Services Division a major investigative unit in the Department we will be working and creating very close working relationships with the School Department and the Youth Guidance Center. And, additionally, we have three officers scheduled to take their physicals and will be going on the Solos next Wednesday on the next transfer of officers so we will be bolstering that particular unit up as we can, we can't do it at this time in the numbers that we would like to do it but we are gradually going to do that as promotions and people become available to us in the Department. We've also assigned three additional officers to the Honda Unit of the Crimes Specific Division. They will be working in a crime prevention fashion, they will be doing patrol out in the Western Addition, Glen Park area and McLaren Park. We have also assigned three additional officers to the Mounted Unit and actually there were two officers promoted out of there so we have replaced those two and given it an additional



three. What we intend to do is take the Mounted Unit, not out of the Park but some of those officers will be available to patrol in other areas of the City such as Candlestick Park, Fisherman's Wharf, certain areas of downtown and those areas where they can effectively patrol, say, against auto boosting where they are high up on the horse and they can oversee parking lots and this sort of thing. Specifically, they will be out at the ball games and have large numbers of people to deal with and a large area to cover. They will be working in those areas as well as in the Park and as time goes on, again, as more people become available, we will be able to increase those units."

Commissioner Murphy: "Can I ask you a question Chief, and incidentally, welcome aboard."

Chief Murphy: "Thank you."

Commissioner Murphy: "Are the schools pretty well distributed among the various station areas, in other words, how many schools does Park have in its' area where you have to have control?"

Chief Murphy: "Okay, they are pretty well distributed. The outlying stations have more of course. Central and Northern, the only two schools they have of any significance, police,.....not even a problem, but something that requires some police attention would be Galileo and Marina Jr. High Schools."

Commissioner Murphy: "How about Ben Franklin?"

Chief Murphy: "Ben is in the Northern District and it is a problem and we have to provide service to that school, but as yet this year there hasn't really been any major problem out there. There is a number of purse snatches that occur in the area. They are perpetrated by juveniles and, incidentally, that will be one of the types of crimes that the new re-bolstered Youth Service Division will be investigating. Other than that, the school population, given the High Schools and the Junior Highs and even some of the Elementary Schools, are pretty well distributed throughout the City."

Commissioner Murphy: "I assumed that they were."

Chief Murphy: "Except for like the two downtown stations. And that shows up in the monthly statistics when you are looking at arrest and juvenile citations those two stations are always very low



because they don't have the population."

Commissioner Siggins: "Fine Chief."

Commissioner Toler: "Chief I would like to welcome you aboard too and I would also like to commend the Department for putting out such a detail and thorough order for the New Year's Eve celebration. I just hope that we will continue, and I am sure you will, to have this type of order put forth for special events. I enjoyed reading this and I am sure the other Commissioners did also."

Chief Murphy: "Thank you Commissioner, I will have to give credit where credit is due. I believe that Deputy Chief Kevin Mullen and Deputy Chief DeAmicis worked very hard on that order and that's the tone of the orders that will be coming out of the Department now. Operational Orders rather than one minor one saying, 'he shall be responsible for, etc.,' I like it spelled out and everybody has their area of responsibility and duties and it's right there for everybody to read. Thank you."

Commissioner Siggins: "Alright Chief. There are a lot of compliments going toward City Hall for the appointment of you as the New Chief of Police but I think the Commission itself should take some kind of pat on the back. As we recall, we approved your appointment as Commander one year after you were appointed a Captain of Police and you were here that night as you recall."

Chief Murphy: "That's right, one year to the day."

Commissioner Siggins: "I think we brought you to the forefront."

Chief Murphy: "I think so. I will give credit where credit is due, and I thank you very much for that."

Commissioner Siggins: "Okay, I want to wish you a real successful tour of duty."

RESOLUTION NO. 14-80

REQUEST OF POLICE OFFICER DAVID FONTANA, CRIME



SPECIFIC TASK FORCE, TO APPEAL TEN DAYS' SUSPENSION - APPROVED

WHEREAS, a communication was received from Charles R. Gain, Chief of Police, officially notifying the Police Commission of the suspension of Police Officer David Fontana, Crime Specific Task Force, for a period of ten days commencing Thursday, December 13, 1979 at 0001 hours, and ending Wednesday, December 22, 1979 at 2400 hours, for violation of Section 2.35 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, a communication was received from Paul C. Chignell, Vice-President, San Francisco Police Officers' Association, requesting a hearing before the Police Commission for Police Officer David Fontana, in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department, to appeal his disciplinary suspension for a period of ten (10) days by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the request of Police Officer David Fontana, Crime Specific Task Force, for a hearing before the Police Commission to appeal his suspension by Chief of Police Charles R. Gain for a period of ten (10) days commencing Thursday, December 13, 1979 at 0001 hours, and ending Wednesday, December 22, 1979 at 2400 hours, be, and the same is hereby set for Wednesday, January 23, 1980 at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 15-80

REQUEST OF POLICE OFFICER RALPH SCHOENSTEIN, NORTHERN POLICE STATION, TO APPEAL TWO DAYS' SUSPENSION - APPROVED

WHEREAS, a communication was received from Charles R. Gain, Chief of Police, officially notifying the Police Commission of the suspension of Police Officer Ralph Shoenstein, Northern Police Station, for a period of two days commencing at 0001 hours on Monday, January 28, 1980 and ending at 2400 hours on Tuesday, January 29, 1980, for



permitting a prisoner to escape; and

WHEREAS, a communication was received from Paul C. Chignell, Vice-President, San Francisco Police Officers' Association, requesting a hearing before the Police Commission for Officer Shoenstein in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department, to appeal his disciplinary suspension for a period of two (2) days by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the request of Police Officer Ralph Shoenstein, Northern Police Station, for a hearing before the Police Commission to appeal his suspension by Chief of Police Charles R. Gain, for a period of two (2) days commencing at 0001 hours on Monday, January 28, 1980 and ending at 2400 hours on Tuesday, January 29, 1980, be, and the same is hereby set for Wednesday, January 23, 1980 at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 16-80

REQUEST OF POLICE OFFICER MICHAEL SLADE, NORTHERN POLICE STATION, TO APPEAL TWO DAYS' SUSPENSION - APPROVED.

WHEREAS, a communication was received from Charles R. Gain, Chief of Police, officially notifying the Police Commission of the suspension of Police Officer Michael Slade, Northern Police Station, for a period of two days commencing at 0001 hours on Monday, January 28, 1980 and ending at 2400 hours on Tuesday, January 29, 1980, for permitting a prisoner to escape; and

WHEREAS, a communication was received from Paul C. Chignell, Vice-President, San Francisco Police Officers' Association, requesting a hearing before the Police Commission for Police Officer Michael Slade, in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department, to appeal his disciplinary suspension for a period of two (2) days by Charles R. Gain, Chief of Police; therefore be it



RESOLVED, that the request of Police Officer Michael Slade, Northern Police Station, for a hearing before the Police Commission to appeal his suspension by Chief of Police Charles R. Gain for a period of two (2) days commencing at 0001 hours on Monday, January 28, 1980, and ending at 2400 hours on Tuesday, January 29, 1980, be, and the same is hereby set for Wednesday, January 23, 1980 at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

STATUS REPORT IN THE MATTER OF POLICE OFFICER ROBERT C. MULRY, SUPPORT SERVICES, PROPERTY CONTROL.

Commissioner Siggins: "I have problems recalling why this is called a Status Report. Is it supposed to be a hearing? This thing goes back to October 4th, 1978, when he was suspended for 15 days and ordered to report to the Police Commission 6 months later and he hasn't. He has been off work, huh?"

Stephen Bley: "For a period of time. Not the entire time but for a good part of the time."

Lawrence Wilson: "Well, the matter was heard as you can see from the resolution of October 4th. It was indicated to the Commission at that time that the Officer was going to go off on disability to have an operation shortly thereafter. I don't believe the operation has ever been held. (To Mr. Bley, Officer Mulry's attorney) Am I correct?"

Stephen Bley: "Yes, that is correct."

Lawrence Wilson: "And sometime after discovering that the operation had never occurred and the officer had not gone off on disability as a result of the operation, I called it to the attention of the Commission and he did serve his suspension. This left the question of the running of the six months somewhat in doubt, we decided the officer would then be placed on the calendar for a Status Report. The Status Report that I have is that he was weighed by the Training Officer in the Academy on Friday, the 30th of November, 1979 and he weighed 265 lbs. I have a memorandum signed by Officer Mollo. The question really



I had with the Commission at this point is whether you feel that you retain continuing jurisdiction under the charges which were filed at this hearing as a result of the charges that were filed. Do you feel that you retain jurisdiction or whether the department should file further charges? I would like to find out, I believe I am accurate in saying that this is the forth time this officer has been found by the Police Commission to be in violation of the weight standards in the Department in a series of charges going back to 1975."

Commissioner Siggins: "Well, I remember....I don't know how many times he has been here before but I recognize the fact that he has been here."

Stephen Bley: "May I respond?"

Commissioner Siggins: "Yes."

Stephen Bley: "We have a relevant number of circumstances here. I don't agree with Mr. Wilson's rendition of the facts as to the weigh in etc., etc. I would like to fill the Commission in as to why this is rather an unusual situation. As the Commission may recall Officer Mulry had injured his knee and was going off to have the operation and the Doctor decided that he would not operate. He served his 15 day suspension and since that period of time he has been off somewhere between 4 and 5 months on disability because of his knee. He had put in, at the recommendation of the City Doctor, for a disability retirement. The City at that time, as I understand it, created a new position in the police department and it's permanent limited duty status. Prior to that you could work up to a year on limited duty. He is caught in a Catch 22. He hurt himself on the job, has had a propensity to put on weight to begin with, he is now in a position where he can't do any exercise. He has been determined by the City to be in a permanent light duty status so because of his injury and his pre-existing propensity to put on weight, he has no way to exercise to help keep it off. I have a letter which was sent to the City Retirement Board on November 27th from Dr. Frederick J. Kucera who says in part that, 'in regards to the patient's weight gain which was as high as 274 pounds but is currently in the area of 250 lbs. this appears to be partly on the basis of his left knee injury resulting in inactivity.'"

Commissioner Siggins: "Partly on the basis."

Stephen Bley: "That is correct. Obviously, the other part is that he has the propensity to put on weight. But to hold him to the standard and



caliber which was created originally for a healthy police officer appears to me to be unreasonable now when he is now in a position where he has been notified and officially categorized as being unable to perform full police duties and has been so assigned to a permanent light duty and now to say I am sorry even though you hurt yourself and you can't do any exercise and that's one of the reasons why you are putting on weight because you are found to be under the same principal standards you would if you were healthy and had full use of your limbs."

Commissioner Siggins: "These are recurring problems. The ones that have the problems are the ones that are back here all of the time."

Stephen Bley: "But he has no way of preventing it."

Commissioner Murphy: "Oh now Mr. Bley, you can lose weight without exercising. I know. And the biggest exercise he could do is push himself away from the table, now we all know that."

"He could run from here to eternity and still be about the same weight he is now. So just exercise alone is not going to take it off. It makes him feel better and makes him healthier and a lot of other things but it's to stop eating so much fattening food period. And he could do that sitting at a desk just as well as he can do that running around a rink of some sort."

Commissioner Siggins: "Okay, but now the status is he was supposed to return to the Police Commission six months after his return from disability. Okay now what.....?"

Lawrence Wilson: "Yes sir, he was actually to serve his suspension and return 6 months after that."

Commissioner Siggins: "Okay, he is here now on that?"

Lawrence Wilson: "That's the basis for his appearance before the Police Commission."

Commissioner Siggins: "Okay, howeisheevergoing to be able to work for the Police Department when he is completely so over weight?"



Stephen Bley: "He has been permanently assigned light duty. Dr. Kucera's rule and the City's acknowledged that he will never be able to perform normal police activity. That was a decision made by the Retirement Board and Dr. Kucera of the City Retirement Board."

Lawrence Wilson: "If council has some paper to that effect I would like to see it. I am not familiar with the position, or ruling, or anything else. The policy is if you are on disability you are able to perform some functions."

Commissioner Siggins: "Let's look into this, let's put this over because we are not going to let everybody that gets involved in this big obesity problem end up with some kind of a permanent light duty job. That is not the intent of the weight standards."

Stephen Bley: "Well, I don't have the evidence, perhaps you could continue it and Captain Shannon who testified at the hearing could be here when it is rescheduled to verify the Board's action."

Commissioner Murphy: "We are working on a proposal now where we are identifying light duty positions in the Department where we are going to assign people who are on limited duty to those positions. I have some problems as to defining light duty as opposed to limited duty, but talking about permanent light duty positions, I really have problems with that. Limited duty positions, in other words, take this officer for example, assigning him to a limited capacity as a police officer, he is still a police officer after all is said and done, you know, down the line we are going to end up with x number of limited duty police officers in the Department and when we eventually get up to 1981, I don't know, it will be some minimal percentage, but I would prefer to have a hundred percent full time police officers on unlimited duty as opposed to limited duty positions."

After further discussion on this subject the Police Commission ordered Mr. Wilson to obtain a transcript of Officer Mulry's Retirement Board Hearing and return with it before the Commission so that the Commission can come to some solution on this matter at that time.

The Commission then adopted the below-numbered resolution:

RESOLUTION NO. 17-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER ROBERT



C. MULRY, SUPPORT SERVICES, PROPERTY CONTROL

WHEREAS, the hearing of Police Officer Robert C. Mulry, Support Services, Property Control, was called; and

WHEREAS, the matter was continued to allow Mr. Lawrence Wilson, Prosecuting Attorney, to obtain a transcript or accurate information from the Retirement Board as to what occurred in respect to Officer Mulry's retirement, and subsequent decision recommending that he be carried in a light duty capacity in the Police Department; therefore be it

RESOLVED, that the date for the hearing of the charges filed against Police Officer Robert C. Mulry, Support Services, Property Control, is set for Wednesday, January 23, 1980 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 18-80

WITHDRAWAL OF CHARGES FILED AGAINST RECRUIT OFFICER TYRONE HILL, POLICE ACADEMY.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Recruit Officer Tyrone Hill, Police Academy, as follows:

SPECIFICATION NO. 1

Consumption of Alcoholic Beverage on Duty. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department).

SPECIFICATION NO. 2

Failure to Answer Truthfully and Without Evasion Questions Pro- pounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Depart- ment.)



by Charles R. Gain, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the above-stated charges filed before the Police Commission on December 11, 1979, against Recruit Officer Tyrone Hill, Police Academy, be, and the same are hereby withdrawn; and be it further:

RESOLVED, that the Police Commission concurs with the Chief in that incident will be best handled by a Chief's written reprimand issued to Recruit Officer Tyrone Hill.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

Commissioner Siggins: "Before we go into the next items, I think I would be remiss in not making comments that Commissioner Judith Ciani has tendered her resignation. I served with her for four years and I found her to be intelligent, ever giving of her time, really one of the most energetic persons that I have ever met and I really think that to a certain extent a loss to the Commission because she has performed a real service to the Department. And if you speak about furnishing things, I think we owe Pillsbury, Madison and Sutro, her firm, maybe, more for copies before we obtained our own copying machine I think she furnished us with reams and reams of copies of things. She really did an outstanding job as a Police Commissioner."

Commissioner Murphy: "I, certainly, having also served with her that length of time, agree with Commissioner Siggins and I think that not only did she furnish us copies but she loaned her secretary to me to help me set up my filing system and a few other things like that. I violated it later on. I couldn't find anything, but she certainly was a peach of a person and really worked hard at it and we owe her a great deal, I think, this City does."

CONTINUATION OF THE HEARING OF POLICE OFFICER  
ANDREW W. CITIZEN, SOUTHERN POLICE STATION

The matter of the hearing of Police



Officer Andrew W. Citizen, Southern Police Station, was called, it having been continued from the meeting of December 3, 1979.

Police Officer Andrew W. Citizen appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following-named witness, having been previously sworn, appeared for the Prosecution, and testified:

Inspector James Tedesco  
Personnel and Training

The Commission then adjourned at 2100 hours, and the matter was continued to Monday, January 7, 1980 at 1700 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

CONTINUATION OF THE HEARING OF POLICE OFFICER DENNIS L. MC CAFFREY, NORTHERN POLICE STATION

The matter of the hearing of Police Officer Dennis L. McCaffrey, Northern Police Station, was called, it having been continued from the meeting of December 3, 1979.

Police Officer Dennis L. McCaffrey appeared in person and was represented by Mr. Gilbert Eisenberg, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.



Opening statements were made by both the Prosecuting and Defense Attorneys.

The following named witness, having been previously sworn, appeared for the Prosecution, and testified:

Inspector James Tedesco  
Personnel and Training

The Commission then adjourned at 2100 hours, and the matter was continued to Monday, January 7, 1980 at 1700 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

CONTINUATION OF THE HEARING OF POLICE OFFICER  
BRUCE BUSHNER, SUPPORT SERVICES - COMMUNICATIONS.

The hearing of Police Officer Bruce Bushner, Support Services, Communications, was called, it having been continued from the meeting of October 8, 1979.

Police Officer Bruce Bushner appeared in person and was represented by Sergeant Michael S. Hebel, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

Opening statements were made by both the Prosecuting and Defense Attorneys.

Statement was then made by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Dr. Richard H. Trapnell's psychiatric evaluation of Police Officer Bruce Bushner, dated



December 28, 1979, was ordered admitted as evidence.

A closing statement was made by Sergeant Michael S. Hebel, Attorney for the Defense.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 19-80

DECISION - HEARING OF POLICE OFFICER BRUCE BUSHNER, SUPPORT SERVICES-COMMUNICATIONS

WHEREAS, on April 24, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer Bruce Bushner, as follows:

SPECIFICATION NO. 1

- a) The medical history of Officer Bushner after his entry into the police department on February 11, 1972, reflects increasing medical and psychiatric incapacity, especially in the last four years as reflected by the following instances and reports:
  1. On January 30, 1976, Dr. Norman Steiner, Police Surgeon, reported that Officer Bushner had been seen by "orthopaedists, neurologists, and physiatrists. All agree that there is no objective evidence (of physical ailments) and the psychiatrist points out a profound hostility, and aberrant personality with a possibility of malingery. His degree of hostility is so profound as to make his efforts in the department questionable."
  2. Following the administration of the Minnesota Multiphasic Personality Inventory, Dr. Petrake reported that the MMPI indicated a psychopathic deviant scale which was markedly elevated.
  3. Neither Dr. Lyon nor Dr. Palmer could find objective evidence to account for continued complaints of physical ailments.



4. Between August 25, 1977, and March 30, 1978, Officer Bushner was treated by Dr. Carleton Mathewson for pain in his right inguinal (groin) region. An operation was performed and minor repairs made. On March 30, 1978, Dr. Mathewson reported complaint of recurrent swelling, skin sensitivity, and apprehension for which he could find no symptoms and suggested additional consultation and possibly psychiatric evaluation.
5. On April 21, 1978, Officer Bushner met with Dr. F. William Herr, a general surgeon, complaining that his back and his hernia bothered him. Following a thorough review of his medical file and a full examination of Officer Bushner, Dr. Herr concluded: 'I do not believe that this patient is able to return to his regular occupation as a police officer by virtue of 100% subjective disability. The manner in which he proceeds in the medical interview, the findings reported in the chart of apparently rather severe abnormalities on the psychological testing, make me feel that this man is mentally ill and should have very complete evaluation of his mental status.'
6. On April 28 at 0400 hours, officers from Mission Station, stopped the vehicle driven by Officer Bushner at 19th and Castro Streets, and finding him in a very irrational and incoherent state of mind, took him home and relieved him of his off-duty weapon.
7. Later that same day, April 28, 1978, Officer Bushner was admitted to the psychiatric ward of St. Francis Hospital at the request of his family following several days of increasing incoherence with marked mood swings, inappropriate behavior and emotional responses; he was found by the attending physician to be physically well but exhibiting euphoria and grandiosity and was at times angry, hostile, demanding and belligerent and at others overly appreciative for assistance while hospitalized.



8. Officer Bushner was released from St. Francis Hospital on May 11, 1978, under instructions to continue medication, which he stopped taking, leading to his readmission by his family on May 14, having become increasingly agitated, irrational and incoherent and responding to frightening auditory hallucinations.
9. His desire to leave the hospital was thwarted by his being placed on an involuntary 72 hours hold under the authority of Welfare and Institutions Code Section 5150.
10. The treating physician, Dr. Kenneth I. Gottlieb, stated at the time that Officer Bushner suffered from a functional psychosis, was undergoing an acute psychotic episode, demonstrated a capacity for psychotic regression under stress, and that the "possibility of future psychotic episodes cannot be eliminated and would be more likely to occur than not."
11. On November 20, 1978, Officer Bushner was hospitalized at San Francisco General under authority of Section 5150 of the Welfare and Institutions Code, and his departmental equipment and weapons were taken from him.
12. On February 22, 1979, Dr. Norman Steiner recommended that Officer Bushner be separated from the Department, based on extensive medical disability and psychiatric incapacity.
  - b) These instances and reports reflect conduct which establishes that Officer Bruce Bushner is incapable of carrying out the duties of a member of the San Francisco Police Department as set forth in Section 2.01 of the Rules and Procedures.

"2.01 The police department and its members shall have the power and it is their duty to:



- .1 Prevent Crime.
  - .2 Protect Live and Property.
  - .3 Detect and Arrest Offenders.
  - .4 Preserve the Public Peace.
  - .5 Enforce all Penal Laws and  
Ordinances.
- c) At all times hereinabove mentioned, the accused was, and still is, a member of the San Francisco Police Department assigned to the Police Communications.

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, July 11, 1979, Wednesday, August 1, 1979, Wednesday, August 29, 1979, Monday, October 8, 1979, and Wednesday, January 2, 1980, and that on Wednesday, January 2, 1980, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Bruce Bushner, Communications Bureau, as contained in Specification No. 1, are sustained by the evidence presented at the hearing, and that Police Officer Bruce Bushner violated Section 2.01 of the Rules and Procedures of the San Francisco Police Department; therefore be it

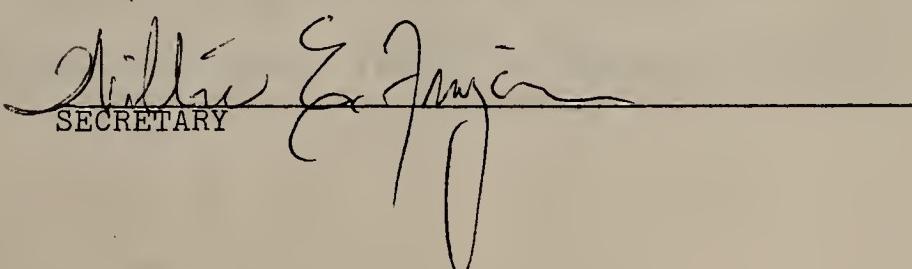
RESOLVED, that it is the order of the Police Commission that for said violation, that Police Officer Bruce Bushner be terminated from the San Francisco Police Department, effective at 2100 hours, Wednesday, January 2, 1980.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

The Commission then adjourned its meeting at 2100 hours.

  
\_\_\_\_\_  
SECRETARY



7 JANUARY 1980

SPECIAL MEETING

~~Minutes~~  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, January 7, 1980 at 1700 hours in Special Session.

PRESENT: Commissioners Murphy, Sanchez, Toler,  
Siggins

DOCUMENTS DEPT.

Commissioner Siggins presiding.

APR 11 1980

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APPOINTMENT OF CORNELIUS P. MURPHY AS CHIEF OF POLICE OF THE SAN FRANCISCO POLICE DEPARTMENT

Commissioner Siggins: "I guess it would be proper protocol for all four of us to make a motion at the same time or could it be made and seconded?"

Commissioner Sanchez: "Perhaps we could have it unanimously."

Commissioner Siggins: "Could we put in the motion that Commander Murphy's middle initial is Patrick and his first name is Cornelius, at least for me as part of my motion?" (Humor)

Commissioner Murphy: "Well, since I wanted to make the motion I will be another one to make the motion."

Commissioner Siggins: "Go ahead Commissioner Murphy."

Commissioner Toler: "I will second it."

Commissioner Murphy: "Make a motion."

Commissioner Toler: "I make a motion....."

Commissioner Siggins: "This might sound like nepotism."

Commissioner Toler: "I know."

Commissioner Murphy: "Well, it might, but it isn't. I have been accused of it already."



Commissioner Sanchez: "Could I just move that the Commission appoint Cornelius P. Murphy as Chief of Police of the City and County of the San Francisco Police Department and the motion will then be considered unanimous, then if there is, or isn't any discussion, then we can have the vote?"

Commissioner Siggins: "Any discussion?"

Commissioner Murphy: "No, I think we will make it unanimous."

Commissioner Siggins: "Okay, call for the question? All in favor?"

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

RESOLUTION NO. 21-80

LEAVE OF ABSENCE WITHOUT PAY FOR AN INDEFINITE PERIOD - APPROVED

RESOLVED, that the request of the following-named member of the Department for permission to take a Leave of Absence Without Pay for an indefinite period, be, and the same is hereby approved:

EFFECTIVE AT 1700 HOURS, TUESDAY, JANUARY 8, 1980

Cornelius P. Murphy designated Chief of Police of the San Francisco Police Department.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

Chief Murphy: "Thank you Mr. President, members of the Commission, I wholeheartedly accept your recommendation. Thank you very much."

Commissioner Sanchez: "I would just like to make one comment and I know that others would like too also. It has really been an honor to serve on this Commission for the past couple of years and I have a very high regard for my colleagues on the Commission. I am sorry I wasn't here when Commissioner



Ciani was here at the last meeting and I was out of town, but I did want to thank her personally in the record for her work and spirit on the Commission over the past couple of years. I would also like to state for the record that I would like to thank President Siggins for his dedication to the City of San Francisco and his commitment to equity in law enforcement for all San Franciscans and it's been an honor for me, and I know for my Colleagues to serve under his administration as Chairperson of the Commission. At the same time, (to Chief Murphy) putting this in, about a year ago the Commission did appoint you Commander and we knew then that your leadership and insight into the City of San Francisco and Law Enforcement would definitely be an asset for future generations and I think this has sort of articulated itself now. So I just want to throw those words out for the Commission, but in particularly both to our new Chief of Police and also, in essence, to our departing President of the Commission."

Commissioner Toler: "And I would just like to echo those remarks of Commissioner Sanchez, Dick it has been a pleasure. Thank you for your excellence."

Commissioner Siggins: "Thank you very much."

Commissioner Murphy: "Dick, I don't know, I have survived four years with you dear and I think I can say the same."

Commissioner Siggins: "Okay."

Chief Murphy: "For the record, on behalf of the Department, I too would like to thank Commissioner Ciani and Commissioner Siggins for the outstanding contributions that they have both made to the Commission and to the Police Department and ultimately to the citizens of San Francisco during their tenure as Police Commissioners. Thank you very much."

Commissioner Siggins: "Thank you."

Stephen Bley: "I would also like to add to the record as a loyal opponent, particularly to Commissioner Ciani and President Siggins, we have had our moments where, shall we say, the temperature has risen, but at all times we appreciated the endeavor they put into this job. It is not an easy one. It is really the type of position where one spends many hours and we know a lot of the time spent is not even here in this room."



Preparation for all of these meetings and also going to many important public affairs. On behalf of myself and I am sure the Police Officers' Association, we would like to thank, particularly Commissioner Ciani and Commissioner Siggins and the other three members for all of the efforts you have put into it. As I say, I know it is a thankless job but somebody has to do it and whether we have agreed in the past on certain issues, I have always respected your opinions even if I haven't agreed with them, and I thank you personally for the manner in which you have carried on and I am sure that those people of the City of San Francisco who knew and do know what you do appreciate you as much as we do."

Commissioner Siggins: "Thank you very much Mr. Bley. I think the record should show that you and I are friends, although it doesn't show up just by reading transcripts of our meetings."

Commissioner Sanchez: "I would like to make one motion if I might, sort of following in the tradition of the Chairperson of the last couple of years, I would like to move that the Star of the Police Commission that was assigned to Commissioner Ciani and to President Siggins be held by them for their dedication and years of service on the San Francisco Police Department. I would hope to get a second on that."

Commissioner Murphy: "I second it."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

RESOLUTION NO. 41-80

AWARDING OF POLICE COMMISSION STARS TO RICHARD J.  
SIGGINS AND JUDITH E. CIANI

RESOLVED, that for services rendered from January, 1976 to January 1980, it is, and shall be, the order of the Police Commission, that Police Commissioner Richard J. Siggins and Police Commissioner Judith E. Ciani, be, and the same are hereby awarded the Stars that were in their possession during their tenure as Police Commissioners of the San Francisco Police Department.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins



CONTINUATION OF THE HEARING OF POLICE OFFICER  
ANDREW W. CITIZEN, NORTHERN POLICE STATION

The matter of the hearing of Police Officer Andrew W. Citizen, Northern Police Station, was called, it having been continued from the meeting of January 2, 1980.

Police Officer Andrew W. Citizen appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Prosecution, duly sworn and testified:

Police Officer Andrew W. Citizen  
Northern Police Station

Police Officer Dennis McCaffrey  
Northern Police Station

The following-named witness, having been previously sworn, appeared for the Prosecution, and testified:

Mr. Henry Bonnom

The following-named witnesses appeared for the Defense, were duly sworn and testified:

Mr. Charles Cunningham  
3630 Gilbert Court  
South San Francisco, California

Mr. James Irving  
754 Post Street  
San Francisco, California

Mr. Wendell Adams  
1050 Stanyan Street  
San Francisco, California

The Commission then adjourned at 2025 hours, and the matter was continued to Wednesday,



January 9, 1980 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

CONTINUATION OF THE HEARING OF POLICE OFFICER  
DENNIS MCCAFFREY, NORTHERN POLICE STATION

The matter of the hearing of Police Officer Dennis McCaffrey, Northern Police Station, was called, it having been continued from the meeting of January 2, 1980.

Police Officer Dennis McCaffrey appeared in person and was represented by Mr. Gilbert Eisenberg, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Prosecution, duly sworn and testified:

Police Officer Dennis McCaffrey  
Northern Police Station

Police Officer Andrew W. Citizen  
Northern Police Station

The following-named witness, having been previously sworn, appeared for the Prosecution, and testified:

Mr. Henry Bonnom

The following-named witnesses appeared for the Defense, were duly sworn and testified:

Mr. Charles Cunningham  
3630 Gilbert Court  
South San Francisco, California



Mr. James Irving  
754 Post Street  
San Francisco, California

Mr. Wendell Adams  
1050 Stanyan Street  
San Francisco, California

The Commission then adjourned at 2025 hours, and the matter was continued to Wednesday, January 9, 1980 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

RESOLUTION NO. 20-80 (The adjourned item is filed, 1/8/80)

CORNELIUS P. MURPHY APPOINTED CHIEF OF POLICE

The following resolution was presented by Commissioner Sanchez and seconded by Commissioner Toler.

RESOLVED, that Cornelius P. Murphy, be, and he is hereby appointed Chief of Police of the San Francisco Police Department, effective Tuesday, January 8, 1980; and be it further

RESOLVED, that the Police Commission has great faith in the ability, courage and integrity of Cornelius P. Murphy and is confident that he will effectively fulfill his duties as Chief of Police in an efficient and trustworthy manner.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

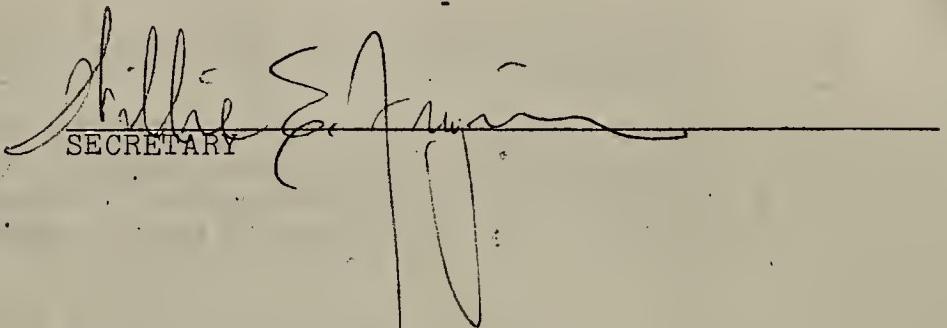
CORNELIUS P. MURPHY APPOINTED CHIEF OF POLICE

Pursuant to a special meeting on Tuesday,



January 8, 1980, Dianne Feinstein, Mayor of the City and County of San Francisco, administered the oath of office to Chief of Police Cornelius P. Murphy; said appointment to be effective as of Tuesday, January 8, 1980.

The Commission then adjourned its meeting 2025 hours.

  
Dianne Feinstein  
\_\_\_\_\_  
SECRETARY



9 JANUARY 1980

REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 9, 1980 at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

DOCUMENTS DEPT.

APR 2 1980

Commissioner Siggins presiding.

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RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

730 WASHINGTON STREET - NAM YUEN

- a) At 730 Washington Street, install a 44' white zone, extending from 3' to 47' east of west property line.
- b) Meter WAS 730 to be removed.

1033 CLEMENT STREET - NUDE NOOK

- a) At 1033 Clement Street, install a 22' yellow zone, extending from west building line 22' east of same.
- b) Remove meter #CLE 1017.

1622 POST STREET - DENTAL OFFICE BUILDING

- a) At 1622 Post Street, install a 22' white zone, extending from 3' to 25; west of east building line.
- b) Meter POS 1610 to be removed.



2706-24th STREET - POTRERO SHOE REPAIR

- a) At 2706-24th Street, install a 22' green zone, extending from 23' to 45' east of west property line.
- b) Revoke existing 22' yellow zone, extending from 23' to 45' east of west property line.

115 CLEMENT STREET - THE OMODAKA

- a) At 115 Clement Street, revoke existing 22' yellow zone, extending from east building line 22' east of same.
- b) Replace with two 15 minute meters (DPW)

1314-1316 UTAH STREET - S.F.P.D.

- a) At 1314-1316 Utah Street, revoke existing 33' yellow zone, extending from south building line of 1316 Utah 33' north of same.

2020-2032 WEBSTER STREET - S.F.P.D.

- a) At 2020-2032 Webster Street, revoke existing 40' green zone, extending from 18' to 58' south of Sacramento Street.

2266 CALIFORNIA STREET - SHERITH ISRAEL TEMPLE

- a) At 2266 California Street, revoke existing 27' yellow zone, extending 27' west of west line of #2262 California Street.

166 SOUTH PARK - S.F.P.D.

- a) At 166 South Park, revoke existing 27' yellow zone, extending from west building line 27' east of same.

2020 LOMBARD STREET - JADE RESTAURANT - DENIED

- a) At 2020 Lombard Street, install an 18' white zone, extending from west property line 18' east of same. DENIED.



- b) Revoke 13' of 42' green zone, extending from west property line 13' east of same.  
DENIED.

3850-17th STREET - DISTRICT HEALTH CENTER #1 -DENIED

- a) At 3850-17th Street, intall a 22' blue zone, extending from 56' to 78' east of west property line. DENIED.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

REVOKE

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 171 feet of yellow and green zone, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

RESOLUTION NO. 22-80

GARY D. FLETCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary D. Fletcher against the City and County of San Francisco in the sum of \$149.24 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 19, 1979

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

RESOLUTION NO. 23-80

GARY J. HUNT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of



Gary J. Hunt against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 12, 1979

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

RESOLUTION NO. 24-80

JOSEPH BLANEY AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Joseph Blaney in the sum of \$5,000.00 in Superior Court Action No. 735-730 entitled, "Joseph Blaney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: On or about November 1976  
through June 1977.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Captain Thomas G. Dempsey, Airport, for industrial disability, effective September 11, 1979.
- b) Police Officer John F. Devine, Chief's Office, for industrial disability, effective September 26, 1979.
- c) Police Officer Craig S. Piro, Park Police Station, for industrial disability, effective September 1, 1979.

The communications were ordered filed.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins



RESOLUTION NO. 25-80

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP, PERSONNEL AND TRAINING, AT THE QUARTERLY MEETING OF THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING (POST) AT SAN DIEGO, CALIFORNIA, ON JANUARY 17, 1980 AND JANUARY 18, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard D. Klapp, Personnel and Training, be detailed to attend the quarterly meeting of the Commission on Peace Officer Standards and Training (POST) at San Diego, California, on January 17, 1980 and January 18, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Klapp in a sum not to exceed \$212.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

RESOLUTION NO. 26-80

HEARING OF LIEUTENANT RICHARD WILLETT, TRAFFIC BUREAU - HIT AND RUN DETAIL

WHEREAS, the hearing of Lieutenant Richard Willett, Traffic Bureau- Hit and Run Detail, was called, it having been set for this date; and

WHEREAS, Mr. Lawrence Wilson, Prosecuting Attorney, and Mr. Stephen Bruce Bley, Defense Attorney, concurred in continuing this matter to January 30, 1980, because of considerations not apparent on the record; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Lieutenant Richard Willett, Traffic Bureau-Hit and Run Detail, is set for Wednesday, January 30, 1980 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins



NOTIFICATION AND FILING OF CHARGES AGAINST SERGEANT HARVEY HARRISON, INGLESIDE STATION, POLICE OFFICER JAMES GALLAGHER, TRAFFIC DIVISION, POLICE OFFICER PETER LIBERT, TRAFFIC DIVISION, POLICE OFFICER LEE MC VEIGH, TRAFFIC DIVISION AND POLICE OFFICER HAROLD WINKLER, TRAFFIC DIVISION.

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Mr. Stephen Bley stated that he was representing Sergeant Harvey Harrison and Officers Peter Libert and Harold Winkler.

Mr. Joseph Moorehead and George Davis stated they were representing Officer James Gallagher, and Mr. Joseph O' Sullivan advised that he would be representing Officer Lee McVeigh.

Mr. Bley stated at this time on behalf of his clients Officers Harrison, Libert and Winkler, that he would like to waive the time required for hearing until at such time this matter has been adjudicated in the criminal courts as to his clients status and at that time have the matter set for a Departmental disciplinary hearing. He said, also now, there is more information as to the nature of the offense charged against these officers, and which, after consideration, would make it possible for these officers to be re-instated at the Chief's and Commission's discretion, to any position they feel would be to the best interest of the department.

Mr. Moorehead then requested to be heard and stated that he was in the process if filing a Demurrer to the case itself because, as he stated, the actual basis of the allegation is that during a two year period of time some officers received, perhaps, some gratuities from movie companies. He stated that the prosecuting attorney in this case, Mr. Graham, has alleged two separate felonies which he (Mr. Moorehead) says does not apply. He said all of those charges in that category deal with situations where people steal public funds and that this is not that type of situation. He said that he is in the Criminal Courts asking for the Demurrer and that he would anticipate that there is a strong likelihood that it will be granted.

Mr. Bley then stated that this is not to try the case that they are just trying to balance the equity of the matter given the record of these officers, the nature of the offenses in that it is not a crime of violence, or one of bribery, or extortion, or any of those things. He said it is his belief that it would be in the interest of everyone concerned that they be allowed to be re-instated and be placed in any position that the Department believes to be appropriate.



Mr. Sullivan then stated that he would like to add that he assumed that when the Commissioners read the charges the Commission would presume that they were true in that the officers received a double salary and that it would have to be paid back. He said there is clearly a question of whether there is any legal duty or whether there is any moral duty in that regard. He said it is his belief that this matter has been submitted twice to the Criminal Grand Jury and each time failed to become an indictment.

Commissioner Siggins then stated that that was not the issue before the Commission. That the Commission is entertaining charges where there were violations of the Rules and Procedures of the San Francisco Police Department.

He continued by saying that the Chief has suspended these officers and, at this point, knows more about the gravity of the matter than the Police Commission.

Chief Murphy then stated that if the Commission isn't prepared to address that issue tonight he said he could discuss it separately with counsel for the defendants.

He said that given the information that he had at the time when the officers were suspended, he felt it was appropriate to suspend them. However, he stated, based on the information that counsel has presented tonight that the criminal trial in this aspect will be of a prolonged nature, possibly six months to a year, and given the limited number of police officers and the declining number of police officers in the police department, that he would not be opposed to re-instating the officers in a non-patrol assignment such as the Records Division, Operation Center or some clearly non-patrol type of assignment which would free up 5 other officers from those assignments allowing them to go back to street duty.

Commissioner Sanchez then moved to put the matter over to March 5 for a status report. This motion was unanimously passed.

Chief Murphy then stated that he would re-instate the officers effective tomorrow and that they could contact Deputy Chief DeAmicis who would make arrangements for them to be assigned to non-patrol duties until the issue is finally resolved.



RESOLUTION NO. 29-80

SERGEANT HARVEY HARRISON, SUPPORT SERVICES BUREAU-COMMUNICATIONS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant Harvey Harrison, Support Services Bureau-Communications Division, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime and Enforce Criminal Laws while on Duty. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Breach of the Peace, Neglect of Duty, Misconduct, Conduct tending to Subvert the Good Order, Efficiency and Discipline of the Department, Conduct Prejudicial to the Efficiency and Discipline of the Department, and Conduct Reflecting Discredit on the Department and Member thereof. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Acceptance of a Gratuity. (Violation of Sections 2.145 and 2.149 of the Rules and Procedures of the San Francisco Police Department)

by Cornelius P. Murphy, Acting Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that a status report in the matter of Sergeant Harvey Harrison, Support Services Bureau-Communications Division, is set for Wednesday, March 5, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez



RESOLUTION NO. 30-80

POLICE OFFICER JAMES GALLAGHER, SUPPORT SERVICES  
BUREAU - RECORDS DIVISION

WHEREAS, charges violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer James Gallagher, Support Services Bureau-Records Division, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime and Enforce Criminal Laws While on Duty. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Breach of the Peace, Neglect of Duty, Misconduct, Conduct Tending to Subvert the Good Order, Efficiency and Discipline of the Department, Conduct Prejudicial to the Efficiency and Discipline of the Department, and Conduct Reflecting Discredit on the Department and Member thereof. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Acceptance of a Gratuity. (Violation of Sections 2.145 and 2.149 of the Rules and Procedures of the San Francisco Police Department)

by Cornelius P. Murphy, Acting Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that a status report in the matter of Police Officer James Gallagher, Support Services-Records Division, is set for Wednesday, March 5, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez



RESOLUTION NO. 31-80

POLICE OFFICER PETER LIBERT, SUPPORT SERVICES BUREAU - COMMUNICATIONS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Peter Libert, Support Services Bureau-Communications Division, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime and Enforce Criminal Laws While on Duty. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Breach of the Peace, Neglect of Duty, Misconduct, Conduct Tending to Subvert the Good Order, Efficiency and Discipline of the Department, Conduct Prejudicial to the Efficiency and Discipline of the Department, and Conduct Reflecting Discredit on the Department and Member thereof. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Acceptance of a Gratuity. (Violation of Section 2.145 and 2.149 of the Rules and Procedures of the San Francisco Police Department)

by Cornelius P. Murphy, Acting Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that a status report in the matter of Police Officer Peter Libert, Support Services Bureau-Communications Division, is set for Wednesday, March 5, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez



RESOLUTION NO. 32-80

POLICE OFFICER LEE MCVEIGH, SUPPORT SERVICES BUREAU-RECORDS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Lee McVeigh, Support Services Bureau-Records Division, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime, and Enforce Criminal laws While on Duty. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Breach of the Peace, Neglect of Duty, Misconduct, Conduct Tending to Subvert the Good Order, Efficiency and Discipline of the Department, Conduct Prejudicial to the Efficiency and Discipline of the Department, and Conduct Reflecting Discredit on the Department and Member thereof. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Acceptance of a Gratuity. (Violation of Sections 2.145 and 2.49 of the Rules and Procedures of the San Francisco Police Department)

by Cornelius P. Murphy, Acting Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that a status report in the matter of Police Officer Lee McVeigh, Support Services Bureau-Records Division, is set for Wednesday, March 5, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez



RESOLUTION NO. 33-80

POLICE OFFICER HAROLD WINKLER, SUPPORT SERVICES  
BUREAU-COMMUNICATIONS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Harold Winkler, Support Services Bureau-Communications Division, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime and Enforce Criminal Laws While on Duty. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Breach of the Peace, Neglect of Duty, Misconduct, Conduct Tending to Subvert the Good Order, Efficiency and Discipline of the Department, Conduct Prejudicial to the Efficiency and Discipline of the Department, and Conduct Reflecting Discredit on the Department and Member thereof. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Acceptance of a Gratuity. (Violation of Sections 2.145 and 2.149 of the Rules and Procedures of the San Francisco Police Department)

by Cornelius P. Murphy, Acting Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that a status report in the matter of Police Officer Harold Winkler, Support Services Bureau-Communications Division, is set for Wednesday, March 5, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez



RESOLUTION NO. 27-80

WAIVER OF DEPARTMENT TIME LIMIT TO ALLOW FOR  
RENEWAL OF JITNEY BUS PERMIT PURSUANT TO PRO-  
POSITION K

WHEREAS, pursuant to the recently adopted vehicle for hire ordinance, a ballot measure, known as Proposition K, the provisions of which called for vehicle for hire owners to surrender their old permits and replace them with new ones; and

WHEREAS, the Permit Bureau of the San Francisco Police Department, in accordance with the provisions of Proposition K directed a letter to all vehicle for hire permittees, informing them of a deadline from December 11, 1979 to December 28, 1979, to surrender their old permits for new ones; and

WHEREAS, the permittees were advised that failure to comply with this order, would result in their permits becoming null and void; and

WHEREAS, Mr. Francisco Ramos, who owns Permit No. 90, appeared with his attorney, Mr. John M. McKenna, before the Police Commission and convinced the Commission that he had not received the December 11, 1979 letter from the Permit Bureau, but did receive the letter of January 3, 1980, that advised him that his jitney bus permit No. 90 was null and void because of his failure to comply with the letter of December 11, 1979; therefore be it

RESOLVED, that the Police Commission, after hearing testimony from Mr. Ramos and his attorney accepts Mr. Ramos' statement and hereby waives the time limit set by the department for compliance with Proposition K, and grants Mr. Ramos permission to obtain a new permit in place of his old one pursuant to the provisions of Proposition K.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

RESOLUTION NO. 28-80

WAIVER OF DEPARTMENT TIME LIMIT TO ALLOW FOR  
RENEWAL OF JITNEY BUS PERMIT PURSUANT TO PRO-  
POSITION K.

WHEREAS, pursuant to the recently adopted



vehicle for hire ordinance, a ballot measure, known as Proposition K, the provisions of which called for vehicle for hire owners to surrender their old permits and replace them with new ones; and

WHEREAS, the Permit Bureau of the San Francisco Police Department, in accordance with the provisions of Proposition K, directed a letter to all vehicle for hire permittees, informing them of a deadline from December 11, 1979 to September 28, 1980, to surrender their old permits for new ones; and

WHEREAS, the permittees were advised that failure to comply with this order, would result in their permits becoming null and void; and

WHEREAS, Mr. Michael DePilla, who owns Permit No. 30, appeared before the Police Commission and convinced the Commission that he had not received the December 11, 1979 letter from the Permit Bureau, but did receive the letter of January 3, 1980, that advised him that his jitney permit No. 30, was null and void because of his failure to comply with the letter of December 11, 1979; therefore be it

RESOLVED, that the Police Commission, after hearing testimony from Mr. DePilla accepts Mr. DePilla's statement and hereby waives the time limit set by the department for compliance with Proposition K, and grants Mr. DePilla permission to obtain a new permit in place of his old one pursuant to the provisions of Proposition K.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

WITHDRAWAL OF CHARGES FILED AGAINST LIEUTENANT  
ROBERT M. FORNI, CENTRAL POLICE STATION

Mr. Lawrence Wilson, Legal Officer, stated that it was determined following further investigation after filing these charges that they were not warranted. The charges were then placed off calendar and he would like, at this time, to withdraw said charges.

Commissioner Siggins stated that actually he was responsible for having this matter calendared tonight for the purposes of entertaining a withdrawal.

The Commission then agreed to withdraw the charges against Lieutenant Forni.



RESOLUTION NO. 36-80

WITHDRAWAL OF CHARGES FILED AGAINST LIEUTENANT  
ROBERT M. FORNI, CENTRAL POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Lieutenant Robert M. Forni, Central Police Station, as follows:

SPECIFICATION NO. 1

Neglect of Duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Failure to Take Interview of Witnesses to Alleged Improper Conduct of Police Officers Under His Command. (Violation of Section 2.166 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Failure to Answer Truthfully and Without Evasion Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department)

by Charles R. Gain, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the above-stated charges filed before the Police Commission on January 12, 1979, against Lieutenant Robert M. Forni, Central Police Station, be, and the same are hereby withdrawn.

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez



CONTINUATION OF THE HEARING OF POLICE OFFICER  
ANDREW W. CITIZEN, NORTHERN POLICE STATION

The matter of the hearing of Police Officer Andrew W. Citizen, Northern Police Station, was called, it having been continued from the meeting of January 7, 1980.

Police Officer Andrew W. Citizen appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Defense, duly sworn and testified:

Anita Pagan  
1231 Grove Street  
San Francisco, California

Inspector Prentice F. Saunders  
Homicide Detail

Closing statements were then made by Mr. Stephen Bruce Bley and Mr. Lawrence Wilson.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 34-80

DECISION - HEARING OF POLICE OFFICER ANDREW W.  
CITIZEN, NORTHERN POLICE STATION

WHEREAS, on September 7, 1977, Charles R. Gain, Chief of Police, made and served charges against Police Officer Andrew W. Citizen, as follows:

SPECIFICATION NO. 1

- a) That on or about July 27, 1977, while on duty, and in uniform, the accused did meet with an informant/agent of the San Francisco Police Department and was advised that said informant/agent had stolen property in his possession;



- b) That the accused did not take any steps consistent with his sworn duty to enforce criminal statutes at that time, nor at any time since;
- c) That the accused, having knowledge that the property in the possession of the informant/agent was stolen, did, without lawful right or authority agree to purchase said stolen property and intended to appropriate it to his own use;
- d) That because of the above-stated conduct of the accused, he did neglect his sworn duty as a police officer and did bring discredit upon the San Francisco Police Department, thereby violating Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- a) That each and every allegation of paragraphs (a) and (b) of Specification No. 1, is incorporated herein and made part thereof as if each were fully restated;
- b) That the accused did not make any police report on July 27, 1977, either written or verbal, regarding the possession of stolen property by the informant/agent, and that no report has ever been made by the accused with regard to such information;



c) That because of the above-stated conduct the accused did violate Section 2.61 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall, whether on or off duty, make written report to his commanding officer of any crime or other occurrences of a police nature, which comes to his attention and which has not already received the attention of some other member."

and

WHEREAS, hearings were had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 28, 1979, Wednesday, December 3, 1979, Wednesday, January 2, 1980, Monday, January 7, 1980, Wednesday, January 9, 1980, and that on Wednesday, January 9, 1980, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Andrew W. Citizen, Northern Police Station, as contained in Specification No. 1, are not sustained by the evidence presented at the hearing and that Police Officer Andrew W. Citizen has not violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Andrew W. Citizen, Northern Police Station, as contained in Specification No. 2, are not sustained by the evidence presented at the hearing and that Police Officer Andrew W. Citizen has not violated Section 2.61 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Andrew W. citizen has not violated Specification No. 1, Section 2.13, and Specification No. 2, Section 2.61 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Andrew W. Citizen, be immediately returned to his duties as a police officer of the City and County of San Francisco.



(The entire proceedings were taken  
in shorthand form by Hearing Reporter  
Dorsey McTaggart, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

CONTINUATION OF THE HEARING OF POLICE OFFICER  
DENNIS L. MC CAFFREY, NORTHERN POLICE STATION

The matter of the hearing of Police Officer Dennis L. McCaffrey, Northern Police Station, was called, it having been continued from the meeting of January 7, 1980.

Police Officer Dennis L. McCaffrey appeared in person and was represented by Mr. Gilbert Eisenberg, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Defense, duly sworn and testified:

Anita Pagan  
1231 Grove Street  
San Francisco, California

Inspector Prentice F. Saunders  
Homicide Detail

Closing statements were then made by Mr. Gilbert Eisenberg and Mr. Lawrence Wilson.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 35-80

DECISION - HEARING OF POLICE OFFICER DENNIS L.



MC CAFFREY, NORTHERN POLICE STATION

WHEREAS, on September 7, 1977, Charles R. Gain, Chief of Police, made and served charges against Police Officer Dennis L. McCaffrey, as follows:

SPECIFICATION NO. 1

- a) That on or about July 27, 1977, while on duty, and in uniform, the accused did meet with an informant/agent of the San Francisco Police Department and was advised that said informant/agent had stolen property in his possession;
- b) That the accused did not take any steps consistent with his sworn duty to enforce criminal statutes at that time, nor at any time since;
- c) That the accused, having knowledge that the property in the possession of the informant/agent was stolen, did, without lawful right or authority agree to purchase said stolen property and intended to appropriate it to his own use;
- d) That on or about August 30, 1977, pursuant to the lawful authority of a search warrant various items of stolen property which were purchased from the informant/agent were seized in the residence of the accused by members of the San Francisco Police Department.
- e) That because of the above-stated conduct the accused did neglect his sworn duty as a police officer and did bring discredit upon the San Francisco Police Department, thereby violating Rule 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member



thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- a) That each and every allegation of paragraphs (a) and (b) of Specification No. 1, are incorporated herein and made a part hereof as if each were fully re-stated;
- b) That the accused did not make any official police report on July 27, 1977, either written or verbal, regarding the possession of stolen property by the informant/agent, and that no report has ever been made by the accused with regard to such information;
- c) That because of the above-stated conduct the accused did violate Section 2.61 of the Rules and Procedures of the San Francisco Police Department which reads as follows:

"Shall, whether on or off duty, make written report to his commanding officer of any crime or other occurrences of a police nature, which comes to his attention and which has not already received attention of some other member."

and

WHEREAS, hearings were had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 28, 1979, Wednesday, December 3, 1979, Wednesday, January 2, 1980, Monday, January 7, 1980, Wednesday, January 9, 1980, and that on Wednesday, January 9, 1980, the matter was submitted to the Police Commission for decision; and

WHEREAS, the police Commission finds that the said charges made and filed against Police Officer Dennis L. McCaffrey, Northern Police Station,



as contained in Specification No. 1, are not sustained by the evidence presented at the hearing and that Police Officer Dennis L. McCaffrey has not violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Dennis L. McCaffrey, Northern Police Station, as contained in Specification No. 2, are not sustained by the evidence presented at the hearing and that Police Officer Dennis L. McCaffrey has not violated Section 2.61 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Dennis L. McCaffrey has not violated Specification No. 1, Section 2.13 and Specification No. 2, Section 2.61 of the Rules and Procedures of the San Francisco Police Department; and be it further

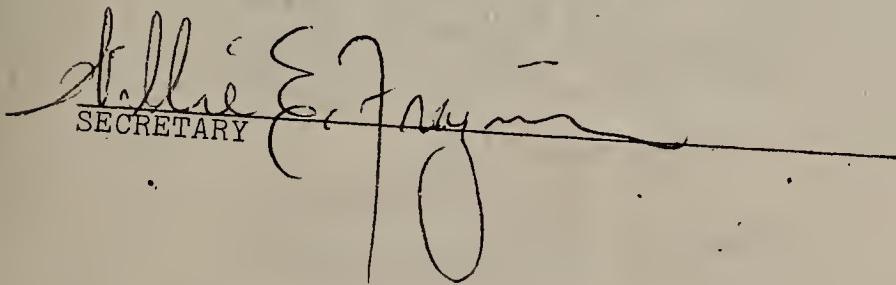
RESOLVED, that it is the order of the Police Commission that Police Officer Dennis L. McCaffrey be immediately returned to his duties as a police officer of the City and County of San Francisco.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

The Commission then adjourned its meeting at 2030 hours.

  
SECRETARY



16 JANUARY 1980

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 16, 1980 at 1600 hours in Special Session.

PRESENT: Commissioners Daly, Nelder, Murphy, Toler, Sanchez

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

APR 28 1980

1. Personnel Matters.

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16 JANUARY 1980

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 16, 1980 at 1730 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Toler, Sanchez

Commissioner Sanchez presiding.

Commissioner Sanchez: "I would like to introduce new Commissioners Alfred J. Nelder and Commissioner Jo Daly."

POLICE COMMISSIONER APPOINTED

The Hon. Jo Daly, having been appointed Police Commissioner for the City and County of San Francisco by her Honor, Mayor Dianne Feinstein, was sworn in by Her Honor Dianne Feinstein in the Mayor's Office, City Hall, on Tuesday, January 15, 1980.

Her appointment as Police Commissioner reads as follows:

POLICE COMMISSIONER JO DALY



THE CITY AND COUNTY OF SAN FRANCISCO  
STATE OF CALIFORNIA

To all whom these presents shall come, Greetings:

Reposing special confidence in the fidelity and ability of Jo Daly, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco appoint her a member of the Police Commission in and for the City and County of San Francisco she to hold said office for the term ending January 15, 1984.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 8th day of January, 1980.

(SEAL)

(Signed) Dianne Feinstein  
MAYOR

The certificate of appointment was ordered spread upon the minutes of the Commission. Commissioner Daly then took her seat as Police Commissioner to the City and County of San Francisco.

POLICE COMMISSIONER RE-APPOINTED

The Hon. Jane McKaskle Murphy, having been re-appointed Police Commissioner for the City and County of San Francisco by Her Honor, Mayor Dianne Feinstein, was sworn in by Her Honor Dianne Feinstein in the Mayor's Office, City Hall, on Tuesday, January 15, 1980.

Her re-appointment as Police Commissioner reads as follows:

POLICE COMMISSIONER JANE MCKASKLE MURPHY

THE CITY AND COUNTY OF SAN FRANCISCO  
STATE OF CALIFORNIA

To all whom these presents shall come, Greetings:

Reposing special confidence in the fidelity and ability of Jane McKaskle Murphy, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco,



re-appoint her a member of the Police Commission in and for the City and County of San Francisco she to hold said office for the term ending January 15, 1984.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 8th day of January, 1980.

(SEAL)

(Signed) Dianne Feinstein  
MAYOR

The certificate of appointment was ordered spread upon the minutes of the Commission. Commissioner Murphy then took her seat as Police Commissioner of the City and County of San Francisco.

POLICE COMMISSIONER APPOINTED

The Hon. Alfred J. Nelder, having been appointed Police Commissioner for the City and County of San Francisco by Her Honor, Mayor Dianne Feinstein, was sworn in by Her Honor Dianne Feinstein in the Mayor's Office, City Hall, on Tuesday, January 15, 1980.

His appointment as Police Commissioners reads as follows:

POLICE COMMISSIONER ALFRED J. NELDER

THE CITY AND COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA

To all whom these presents shall come, Greetings:

Reposing special confidence in the fidelity and ability of Alfred J. Nelder, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco he to hold said office for the term ending January 15, 1984.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 8th day of January, 1980.

(SEAL)

(Signed) Dianne Feinstein  
MAYOR



The certificate of appointment was ordered spread upon the minutes of the Commission. Commissioner Nelder then took his seat as Police Commissioner of the City and County of San Francisco.

RESOLUTION NO. 42-80

ELECTION OF PRESIDENT OF THE POLICE COMMISSION

On motion of Commissioner Murphy and seconded by Commissioner Toler, the following resolution was adopted:

RESOLVED, that David J. Sanchez, Jr., be, and he is hereby elected President of the Police Commission of the City and County of San Francisco.

AYES: Commissioners Daly, Nelder, Toler, Murphy

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 43-80

ELECTION OF VICE-PRESIDENT OF THE POLICE COMMISSION

On motion of Commissioner Sanchez and seconded by Commissioner Toler, the following resolution was adopted:

RESOLVED, that Jane McKaskle Murphy, be, and she is hereby elected Vice-President of the Police Commission of the City and County of San Francisco.

AYES: Commissioners Daly, Nelder, Toler, Sanchez

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 44-80

CHANGE OF POLICE COMMISSION MEETING TIME.

RESOLVED, that in accordance with Section



2.200 of the Charter of the City and County of San Francisco, the Police Commission hereby changes the meeting time from Wednesday, at 1730 hours (5:30 p.m.,) to Wednesday, at 1700 hours (5:00 p.m.)

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez: "Mayor Dianne Feinstein has sent her regards to the Commission to our new Chief Con Murphy in the spirit of unity and at the same time in the spirit of concern as we collectively work together to resolve many of the complex problems facing our city today. Although we have a spirit of unity about us we always have and will continue to have the diversity of opinion on this Commission which we feel has always made this Commission very functional and accountable. Nonetheless, we are here in spirit and I would, at this point, like to turn over the agenda to Lieutenant Frazier and Cornelius Murphy, our new Chief of Police, pertaining to the Chief's report to the Commission. Lieutenant Frazier?"

Lieutenant Frazier: "The second item on the agenda is the approval of the Consent Calendar, however, if the Commission desires, we could entertain item number three for the Chief's report."

Commissioner Sanchez: "Yes, I would like to go to the Chief's report at this point."

Chief Murphy: "In accordance with my letter to the Commission of January 11th, I am requesting that the Police Commission adopt a resolution appointing Captain James Ryan to the position of Deputy Chief, Captain Raymond Canepa to the position of Commander permanently, and in an acting capacity, Captain James Shannon as a Deputy Chief, Captain Stanley Cordes, Deputy Chief, Captain George Eimil to the exempt rank of Deputy Chief, and Captain Gerald D'Arcy to the exempt position of Commander of Traffic."

Commissioner Toler: "I so move."

Commissioner Sanchez: "I think there is a motion."

Commissioner Nelder: "Second."



Commissioner Sanchez: "Any discussion? If not, I call for the question? All in favor?"

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez: "It is unanimous. Chief Murphy would you introduce our new Deputy Chief's if they would please stand and we can thereafter take a brief recess."

Chief Murphy: "I would like to , at this point, swear them in."

The Deputy Chief's and Commanders were sworn in by Chief Murphy and the Commission adopted the following resolution:

RESOLUTION NO. 45-80

CHANGES IN PERSONNEL OF THE SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that the Police Commission hereby approves the removal and appointments set forth below pursuant to Charter Section 3.501 as of January 17, 1980:

REMOVAL

Kevin J. Mullen (Deputy Chief)

APPOINTMENTS EFFECTIVE AT 0001 HOURS, THURSDAY, JANUARY 17, 1980

James Ryan (Deputy Chief)  
James Shannon (Acting Deputy Chief)  
Stanley Cordes (Acting Deputy Chief)  
George Eimil (Acting Deputy Chief)  
Raymond Canepa (Commander)  
Gerald D'Arcy (Acting Commander)

therefore be it

RESOLVED, that the above appointments made by Chief of Police Cornelius P. Murphy, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 46-80

LEAVES OF ABSENCE WITHOUT PAY FOR INDEFINITE PERIODS - APPROVED

RESOLVED, that the request of the following-named members of the Department for permission to take Leaves of Absence Without Pay for indefinite periods, be, and the same are hereby approved:

EFFECTIVE AT 0001 HOURS THURSDAY, JANUARY 17, 1980

- a) James Ryan designated Deputy Chief of Field Operation.
- b) James Shannon designated Deputy Chief of Administration.
- c) Stanley Cordes designated Deputy Chief of Support Services.
- d) George Eimil designated Deputy Chief of Investigations.
- e) Raymond Canepa designated Commander of Field Patrol.
- f) Gerald D'Arcy designated Commander of Traffic.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

The Commission then recessed for fifteen (15) minutes.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

552 HAYES STREET - NATIVE AMERICAN INDIAN RECYCLING CENTER

- a) At 552 Hayes Street, install a 22' yellow zone, extending from 18' to 30' east of west building line.



- b) Remove meter HAY 520.

198 LIPPARD STREET - GLEN PARK ELEMENTARY SCHOOL

- a) At 198 Lippard Street, install a 22' white zone, extending from 89' to 111' north of south property line of school yard - "No Parking" signs to be posted from 7 A.M. to 4 P.M.

544 HAYES STREET - NATIVE AMERICAN INDIAN SENIOR CENTER

- a) At 544 Hayes Street, install a 22' white zone, extending from 30' to 52' east of west building line.
- b) Remove meter HAY 518.

2940-16th STREET - MISSION MENTAL HEALTH CENTER

- a) At 2940-16th Street, install a 22' blue zone, extending from 27' to 49' east of west property line.
- b) Meter 2920 to be removed.

698 THIRD STREET - 3rd & TOWNSEND LIQUOR -DENIED

Mr. Joo Han Kang appeared and protested the Department's recommendation of denial of his request for a Yellow Zone. The recommendation of denial was upheld by the Police Commission.

- a) At 698 Third Street, install an 18' yellow zone, extending from 10' to 28' north of south property line. DENIED.
- b) Remove meter #3rd 664. DENIED.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 47-80

NANCY AXTELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nancy Axtell against the City and County of San Francisco



in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved:

Date of Incident: December 13, 1979.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 48-80

LAWRENCE DE CUIR AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence DeCuir and his attorney against the City and County of San Francisco in the sum of \$650.00 in Municipal Court Action No. 730-160 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 2, 1975

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 49-80

CRYSTAL MARIE BROOKS AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Crystal Marie Brooks and her attorney against the City and County of San Francisco in the sum of \$2,500.00 in Superior Court Action No. 715-019 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 4, 1976

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 40-80

AUTHORIZING ATTENDANCE OF SERGEANT LAWRENCE GURNETT, PERSONNEL AND TRAINING, AT A FIELD MANAGEMENT TRAINING AUDIT AT THE LOS ANGELES POLICE DEPARTMENT FROM JANUARY 20, 1980 TO JANUARY 23, 1980 INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Lawrence Gurnett, Personnel and Training, be detailed to attend a Field Management Training Audit at the Los Angeles Police Department, Los Angeles, California, from January 20, 1980 to January 23, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Lawrence Gurnett, in a sum not to exceed \$244.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

AMENDING PART II, CHAPTER VIII, ARTICLE 16, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING SECTION 1135.2.1 THERETO ESTABLISHING A PROCEDURE FOR SETTING A FEE FOR METALLIC TAXICAB MEDALLIONS.

Officer Lamont Suslow, Police Department Permit Bureau, appeared and stated that the approval of this measure would allow the Permit Bureau to charge a fee which would reimburse the Department for its cost in the preparation and issuance of the Taxi Cab Medallions.

RESOLUTION NO. 39-80

AMENDING PART II, CHAPTER VIII, ARTICLE 16, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING SECTION 1135.2.1 THERETO ESTABLISHING A PROCEDURE FOR SETTING A FEE FOR METALLIC TAXICAB MEDALLIONS.

WHEREAS, the Police Department is the issuing authority, under Section 1135.2 of the Police Code, for metallic medallions for taxicab; and

WHEREAS, the Police Commission is the authority, under Section 1135.2 of the Police Code,



for the approval of the design of the metallic medallions; and

WHEREAS, the Police Commission has adopted resolution no. 334-78 describing the metallic medallion and requiring the color to be changed annually; and

WHEREAS, the Police Department requires sufficient funds to pay for the production and issuance of the metallic medallion, therefore, be it

RESOLVED, that the attached proposed ordinance adding Section 1135.2.1 to the Police Code, establishing a procedure for the setting of a fee for the metallic medallion, is hereby transmitted to the Board of Supervisors for adoption.

(Copy on file in the Office of the Police Commission)

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

CONSIDERATION OF RESTORATION OF TAXICAB PERMIT  
TO JOSEPH C. GALLI - CONTINUED FOR ONE (1) WEEK

Mr. Galli's attorney, Joseph A. Filippelli, appeared and stated that Mr. Galli was a 73 year old man who has been personally driving his own cab and derives his sole income from the monies received as a cab driver. He stated that January 3, 1980, was the first time Mr. Galli received any notice from the Police Department that indicated to him that he had not complied with the provisions of Proposition K and that his permit was void and revoked. He said for some reason, either Mr. Galli's mistake or faulty delivery of the mail, he did not receive the letter that was mailed in December advising him that he should surrender his permit. He said due to those reasons he was requesting the Commission to re-issue Mr. Galli's permit in accordance with the Provisions of Proposition K.

Commissioner Sanchez stated that he would like to direct the Chief to request a letter from the City Attorney's Office pertaining to this matter and a couple of other cases that have been and will be brought before the Commission thereby providing a vehicle for uniform response. He continued by saying that that would be preferable to rendering a decision at this time.



This matter was then continued for one (1) week.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

CONSIDERATION OF RESTORATION OF JITNEY BUS PERMIT  
TO MIGUEL A. HERNANDEZ - CONTINUED FOR ONE (1) WEEK.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez then requested a brief overview of the history of Prop. K and Mr. Bob Byrne, Legal Officer, responded by stating that Section 4(b) of Proposition K specifically provided that within 60 days of the effective date of Proposition K all outstanding permits would have to be surrendered and exchanged for Proposition K permits. He continued by saying that that particular section goes on to say that as of the 61st day, any permits not surrendered are void and any operation of those permits are a criminal violation. He said what happened is that before the 60 days expired some of the major taxi cab companies obtained an injunction against the enforcement of those provisions and that litigation went all the way to the U.S. Supreme Court and was recently resolved against the taxi cab companies. He said in conjunction with the final resolution of the litigation, it was agreed between Mr. Diaz, who was representing the City, and the other parties that a date be set, giving people a reasonable amount of time to turn in their permits. That date was the 28th of December 1979. He said all permittees were sent a notice of that date three weeks in advance to their address of record.

Commissioner Sanchez then stated that he personally felt that there were some valid cases where people did not, either get the mail, or, get the mail on time and that this was one of the concerns brought to the attention of the Commission that a lot of the mail was held up because of the Christmas rush and the notices were not sent by certified mail. He stated that with this in mind he would hope that the Department would review it with the City Attorney and bring back to the Commission, as swiftly as possible, some sort of option so that the Commission can comply fully and equitably.

He said he would hope that by the next meeting a full report could be given to the Commission along with a possible option of an extension date utilizing certified mail for those who did not receive notices.



HEARING OF POLICE OFFICER YVONNE HARBOR - SOUTHEAST POLICE STATION

The hearing of Police Officer Yvonne Harbor, Southeast Police Station, was called, it having been set for this date. Police Officer Yvonne Harbor was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace and Arrest Offenders. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Using Profane Language to a Citizen and Failing to Provide the Correct Star Number. (Violation of Section 2.35 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failing to Make a Written Report of Criminal Conduct. (Violation of Section 2.61 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Neglect of Duty and Conduct Unbecoming an Officer. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Truthfully Answer Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Yvonne Harbor appeared in



person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

An opening statement was made by Mr. Lawrence Wilson, Prosecuting Attorney.

The following-named witnesses appeared for the Prosecution, were duly sworn and testified:

Mr. Chris Reith  
499 Alabama Street  
San Francisco, California

Police Officer Donald Moorehouse  
Central Police Station

Police Officer Larry A. Piol  
Mission Police Station

Police Officer Michael Cowhig  
Mission Police Station

Lieutenant Robert L. Kafka  
Southeast Police Station

Sergeant Donald Miles  
Southeast Police Station

Sergeant Victor Rykoff  
Internal Affairs Bureau

The following-named witness appeared for the Defense, was duly sworn and testified:

Police Officer Yvonne Harbor  
Southeast Police Station

Sergeant Victor Rykoff was recalled by the Prosecution for rebuttal testimony.

Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:



RESOLUTION NO. 38-80

DECISION - HEARING OF POLICE OFFICER YVONNE HARBOR,  
SOUTHEAST POLICE STATION

WHEREAS, on October 30, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer Yvonne Harbor, as follows:

SPECIFICATION NO. 1

- a) That at all times herein mentioned, Officer Yvonne Harbor was a member of the San Francisco Police Department assigned to Company C, the Southeast Station;
- b) That on April 14, 1979, at approximately 1830 hours, in the vicinity of 20th and Shotwell Streets, Officer Harbor encountered a civilian, one Kris Reith struggling with one William Haynes for possession of a deadly weapon, a chisel;
- c) That, at this time Officer Harbor was in uniform, traveling in a marked radio car, and on full-duty status;
- d) That, upon alighting from the radio car, Mr. Reith told Officer Harbor that the man with whom he was struggling had been discovered burglarizing his trailer and had been apprehended by him following a long chase;
- e) That when the suspect refused to surrender the chisel as ordered by Officer Harbor, and fled on foot, Officer Harbor took no action, failing either to detain Mr. Haynes for further investigation, to arrest him, or to pursue him;
- f) That the only explanation in response to Mr. Reith's inquiry as to why Officer Harbor failed to arrest Mr. Hayes was that she was not in her police district;
- g) That this conduct, refusing to render assistance to the civilian complainant and failing to take police action, was a violation of Section 2.03 of the Rules and Procedures which states:



"A member shall at all times preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws."

SPECIFICATION NO. 2

- a) That paragraphs (a) through (f) of Specification No. 1 are incorporated herein by reference as if each were fully set forth;
- b) That, when asked by Mr. Reith whether or not he should chase the suspect, Officer Harbor responded with words similar to "Yeah, catch him and beat the shit out of him."
- c) That, when asked by Mr. Reith for her star number, Officer Harbor failed to give him the correct star number.
- d) That this conduct, using profane language and falsely stating a star number violated Section 2.35 of the Rules and Procedures, which states:

"A member shall, in the performance of his duty, be polite, civil and orderly in his conduct and deportment, maintain patient decorum and command of temper and refrain from the use of harsh, violent, coarse, profane, or uncivil language. When requested, his name, star number and assignment shall be given in a courteous manner."

SPECIFICATION NO. 3

- a) Paragraphs (a) through (f) of Specification No. 1 and (b) and (c) of Specification No. 2 are incorporated herein as if each were fully set forth;
- b) That at the time Officer Harbor encountered Mr. Reith, and when she left him, the incident had not received police attention;
- c) That at no time did Officer Harbor make a written report of this matter to her commanding officer;



- d) That this conduct, in failing to make a written report of an occurrence of a police nature is a violation of Section 2.61 of the Rules and Procedures, which states:

"A member shall, whether on or off duty, make written report to his commanding officer of any crime or other occurrences of a police nature, which comes to his attention and which has not already received the attention of some other members."

SPECIFICATION NO. 4

- a) That paragraphs (a) through (f) of Specification No. 1, (b) and (c) of Specification No. 3, are incorporated herein by reference as if each were fully set forth;
- b) That the conduct herein alleged constitutes neglect of duty and conduct unbecoming an officer and is a violation of Section 2.13 of the Rules and Procedures which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct, triable and punishable by the Board."

SPECIFICATION NO. 5

- a) That paragraph (a) of Specification No. 4 is incorporated herein by reference as if it were fully set forth;
- b) That when questioned by an investigator from the Internal Affairs Bureau assigned by lawful authority to investigate this matter, Officer Harbor was untruthful or evasive in her statements and responses



to questions in a number of particulars,  
to wit:

1. Officer Harbor falsely denied that she had ever asked the suspect Haynes for a chisel;
  2. She falsely denied having been told by Mr. Reith that the suspect had been discovered committing a burglary;
  3. She told the investigator that she had told the lieutenant and sergeant in her station the same version of events which she told the investigator when in fact she had reported to the lieutenant and sergeant only that she had witnessed a fight between two drunks.
  4. Officer Harbor falsely denied that she had made a statement similar to "Yeah, catch him and beat the shit out of him," (or a statement similar thereto).
  - \*5. She falsely stated that she had had a conversation with the radio car identified as 3 Charlie 9 when in fact the Police Communications' tapes record no response to her call to 3C9.
- c) That each of these untruthful or evasive statements constitutes a violation of Section 2.49 of the Rules and Procedures which states:

\*Deleted upon request of Prosecution.

"A member shall, when called upon by a superior officer, or by one specifically assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements, and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, January



16, 1980, and that on Wednesday, January 16, 1980, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Yvonne Harbor, Southeast Police Station, as contained in Specification No. 1, are sustained by the evidence presented at the hearing and that Police Officer Yvonne Harbor violated Section 2.03 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Yvonne Harbor, Southeast Police Station, as contained in Specification No. 2, are not sustained by the evidence presented at the hearing and that Police Officer Yvonne Harbor has not violated Section 2.35 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Yvonne Harbor, Southeast Police Station, as contained in Specification No. 3, are not sustained by the evidence presented at the hearing and that Police Officer Yvonne Harbor has not violated Section 2.61 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Yvonne Harbor, Southeast Police Station, as contained in Specification No. 4, are sustained by the evidence presented at the hearing and that Police Officer Yvonne Harbor has violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Yvonne Harbor, Southeast Police Station, as contained in Specification No. 5, are not sustained by the evidence presented at the hearing and that Police Officer Yvonne Harbor has not violated Section 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Yvonne Harbor has violated Specification No. 1, Section 2.03 and Specification No. 4, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation, Police Officer Yvonne Harbor, be suspended for five (5) working days without pay which are as follows:



Thursday - January 17, 1980  
Friday - January 18, 1980  
Monday - January 21, 1980  
Tuesday - January 22, 1980  
Wednesday - January 23, 1980

and be it further

RESOLVED, that Officer Yvonne Harbor upon return to duty shall be, at the convenience of her Commanding Officer, re-trained at the Police Academy for a period of five (5) days in all procedures relating to patrol officer duties.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

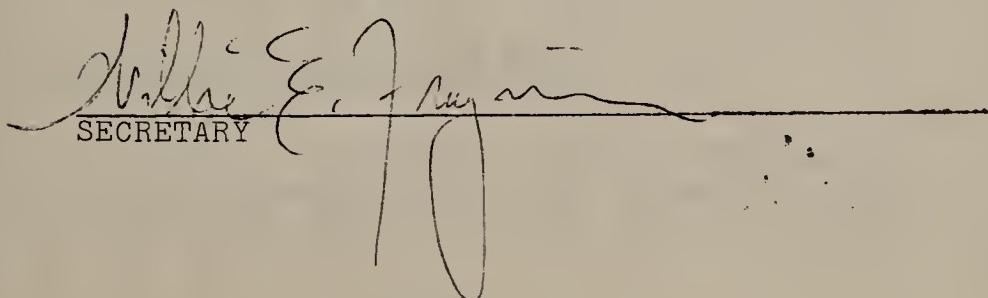
Recesses taken during the hearing of Police Officer Yvonne Harbor:

1957 hours to 2007 hours.  
2145 hours to 2200 hours.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

The Commission then adjourned its meeting at 2207 hours.

  
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SECRETARY



23 JANUARY 1980

REGULAR MEETING

*= Minutes*  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 23, 1980 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

**DOCUMENTS DEPT.**

Commissioner Murphy presiding.

APR 28 1980

SAN FRANCISCO  
PUBLIC LIBRARY

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of "zoning" for the regulation of traffic on the public streets, be, and the same are hereby approved:

219-6th STREET - SAN FRANCISCO GOSPEL MISSION

- a) At 219-6th Street, install a 22' yellow zone, extending from south property line 22' north of same.
- b) Remove meter 6th St. 209.

APPROXIMATELY 90 APPAREL - GOLDEN YOLK CO.

- a) At approximately 90 Apparel, install a 40' red zone, extending from Barneveld 40' east of same.

707 PARNASSUS - U.C. MEDICAL CENTER

- a) At 707 Parnassus, install a 20' white zone, extending from 9' to 29' west of east building line.

575 HAIGHT STREET - TARRE CORP.

- a) At 575 Haight Street, install a 22' yellow zone, extending from east property line 22' west of same.



23 GRANT AVENUE - UP STAIRS CORP

- a) At 23 Grant Avenue, install a 42' white zone, extending from 5' south to 47' north of south building line.

21 GRANT AVENUE - UP STAIRS CORP. - REVOKED

- a) At 21 Grant Avenue, revoke existing 32' yellow zone, extending from 68' to 100' north of O'Farrell Street.

2245 JONES STREET - SARAH B. COOPER SCHOOL - REVOKED

- a) At 2245 Jones Street, revoke existing 177' white zone, extending from 6' to 183' south of Lombard Street.

2401 WEBSTER STREET - NEWCOMER'S - REVOKED

- a) At 2401 Webster Street, revoke existing 60' white zone, extending from 2' to 62' south of north property line.

2340 JACKSON STREET - NEWCOMER'S - REVOKED

- a) At 2340 Jackson Street, revoke existing 36' white zone, extending from 264' to 300' west of Webster Street.

AYES: Commissioners Daly, Nelder, Toler, Murphy

NOT VOTING: Commissioner Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 305 feet of yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy

NOT VOTING: Commissioner Sanchez



RESOLUTION NO. 50-80

MICHAEL HENRY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Henry against the City and County of San Francisco in the sum of \$475.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 19, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 51-80

RAYMOND AVILA AND MARIO LOPEZ  
AND THEIR ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raymond Avila and Mario Lopez and their attorney against the City and County of San Francisco in the sum of \$1,750.00 in Superior Court Action No. 722-919 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 4, 1976

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 52-80

FRANCES DELGADILLO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frances Delgadillo against the City and County of San Francisco in the sum of



\$4,380.00 in Superior Court Action No. 732-884 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 3, 1977

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 53-80

SALVADOR SANCHEZ-MENJIVAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Salvador Sanchez-Menjivar against the City and County of San Francisco in the sum of \$33.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 6, 1979 to December 7, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 54-80

THOMAS ALAN CRAWFORD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas Alan Crawford against the City and County of San Francisco in the sum of \$750.00 in Superior Court Action No. 731-062 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 28, 1977

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez



RESOLUTION NO. 55-80

THOMAS PATRICK KELLY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas Patrick Kelly against the City and County of San Francisco in the sum of \$450.00 in Superior Court Action No. 686-956 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 24, 1974

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 56-80

DEBORAH PERKINS AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Deborah Perkins and her attorney against the City and County of San Francisco in the sum of \$6,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 26, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 57-80

AUTHORIZING ATTENDANCE OF INSPECTORS DON D. DANIELS, AND LOUIS J. LIGUORI, INTELLIGENCE UNIT, AT A PROTECTIVE SERVICES TECHNIQUES COURSE AT SACRAMENTO, CALIFORNIA, FROM FEBRUARY 11, 1980 TO FEBRUARY 15, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief



of Police that Inspectors Don D. Daniels and Louis J. Liguori, Intelligence Unit, be detailed to attend a Protective Services Techniques Course at Sacramento, California from February 11, 1980 to February 15, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Inspectors Don D. Daniels and Louis J. Kiguori, in a sum not to exceed \$264.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 58-80

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved.

Traveling expense voucher) submitted by Lieutenant )\$39,872.53 Victor Macia for four (4) five-day field training ) seminars: )	(At Santa Cruz, Cal- ifornia, during the (weeks of October 14, (1979, October 21, 1979, (November 4, 1979 and (November 25, 1979.
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AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

The Commissioners, having received, amended and returned copies of the minutes of the meetings of December 5, 1979 and December 19, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez



CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy: "Commissioners, in my letter to the Commission on January 21st requesting appointments to non-civil service positions, exempt positions, Commander Seghy is electing to remain in the Department and to revert back to his Civil Service Rank. Therefore, I am requesting from you at this time, to approve a resolution which will remove Commander Seghy from that position reverting him back to the Civil Service Rank of Captain and appointing Gerald C. D'Arcy to the Rank of Commander, effective January 17th, 1980."

Commissioner Murphy: "Alright, I will entertain a motion to that effect."

Commissioner Daly: "Second."

Commissioner Murphy: "Any questions?"

Commissioner Nelder: "No questions."

Commissioner Murphy: "All those in favor say Aye."

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

Commissioner Murphy: "Did you have anything further Chief? Did the Commission have any questions?"

Commissioner Nelder: "Yes Chief, I would like to raise the question of response time. Has there been any survey, or any study made of response time in the last say 6 months that you know of?"

Chief Murphy: "I don't know the timeliness of the survey. There was a survey done probably within the last year and that the average response time to an A type priority call is 6 minutes. And as you know we are getting into performance by Objectives Budgeting and our goal in the next fiscal year would be to reduce that to a 3 minute time. So our response time at the present time leaves a great deal to be desired, however, in some cases it is as low as 30 seconds or a minute response time, but the over all time is not what it should be and our goal for the future years will be to get that down to a 3 minute response time, and then future response time, as more officers become available to the department, we would like to get that down to a 2 minute response."

Commissioner Nelder: "Yes, for the edification of my fellow Commissioners, the complaint, probably not so much in the form of a complaint as it is in the form of seeking information as to reasons why there is some delay. And I suppose that it might be a good time, maybe, to take a look at that and see if there can't be ways and means to



devise to get a more rapid response even if it is a holding pattern until the District Stations or those that are assigned to the complaint would take over the investigation. I think maybe my suggestion might be to put this over for a report by the Chief for about three weeks and you could look into it and let us know what the possibilities are of using different techniques in some innovative style of faster response time. Like, for instance Chief, as I understand that, the Solo Units are about 45 in number or less?"

Chief Murphy: "Yes."

Commissioner Nelder: "Which maybe for a City of this size is not enough Solo bikes."

Chief Murphy: "That's correct, since my tenure in the department and as the Chief we have assigned three additional officers to that unit and we have since scheduled four more to take their physical and they will be on the next transfer, I believe, to go in. So we are incrementally building that unit up even though it is a reduction to the District Stations we feel that they are uniformed officers, they are out in the street, and there is response time there because, aside from traffic work, they do do a great deal of responding to A priority-type calls. Over the years that has been traditional in the department there was the response time there."

Commissioner Nelder: "I think historically the Solo Bikes numbered around 90, or maybe even more than 90, and I guess for 43 square miles which San Francisco is, I guess that's not really too many either, and the reason I bring this up is because I think that if you are interested in this approach that now would be a good time because of the budget as --- Commissioner Murphy you sat at the Board of Supervisors, this would be an ideal time to consider the request for additional Solo/Motorcycles because you will need the equipment if you are going to Staff them."

Chief Murphy: "Yes, and along with that at the same time we have a grant, a 2 million dollar grant, in process now which we are virtually assured if getting to provide funding for 20 bikes and 20 officers. And that will be effective the first of October I believe is the target date for that to get started. It's a new grant that is just in the hopper now getting out of the Department. Initially, it was scheduled for August and we requested a two month delay in that we didn't feel that the number of officers on the street was continuing to decline, we feel that we would be in a better posture without stripping the stations entirely again of 20 officers, considering on the other hand that we have to promote some 250 Sergeants and Assistant Inspectors, so we deferred it for two months, but I think it was a good move and that we won't totally strip the stations to make those promotions and to increase that unit. So come October we will be realizing an increase of patrol officers on the street and by that time 20 additional officers will have a very dramatic impact on the traffic situation."



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Commissioner Murphy: "Are those LEAA Funds?"

Chief Murphy: "Yes."

Commissioner Murphy: "This leads me to a question I would like to ask you Chief. We are beginning the budget process now and one of the problems we have had in the past as Commissioners is that the budget is almost completed by the time we get it. That is too late in the game to change or to add anything before it goes to the Mayor."

I would like to suggest that as you start developing the budget, particularly some of the sections that are very important, that you bring them to us, let us have a chance to look at them, and then if we have questions or input, we can do it before everything is all wrapped up."

Chief Murphy: "Fine, we can work that out. And along the same lines next year, we are going to be getting into performance by objectives and that's where we will be setting the goals and objectives of the Department and I think it would be appropriate for the Commission to sit in on those meetings and have input into it."

Commissioner Murphy: "I think it is very important, I have been wanting a performance budget for a long, long time. Do we also have to submit a line item budget?"

Chief Murphy: "This year we are doing both and the following year it will be just programmed budgeting by objectives."

Commissioner Nelder: "The other area that came to my attention and I don't know what was done about it, is the Crime Lab, and I wonder if we could also at some near future date be filled in on it. The Crime Lab, it's equipment and personnel."

Chief Murphy: "Certainly."

Commissioner Nelder: "I know that before I left the Board there was some question as to the area being too confined, too small, and not really enough area to do the work, and they also indicated that they needed some equipment which they didn't have, and I think, again, with the budget in mind, we might take a look at that."



Chief Murphy: "Yes, and there has also been administrative problems in the unit to go along with all of those other problems. There are many problems down in the Crime Lab and they certainly have to be addressed, so I can get a status report on that for you too."

Commissioner Murphy: "Almost everything that was there in the way of problems are still pretty much there, correct?"

Chief Murphy: "That's an accurate assessment."

Commissioner Murphy: "Alright, thank you very much."

AMENDING PART III, OF THE SAN FRANCISCO MUNICIPAL CODE  
BY AMENDING SECTION 28 THEREOF: REQUIRING FEES FOR PUB-  
LICATION OF CERTAIN APPLICATIONS TO BE PAID BY APPLICANTS.-  
CONTINUED FOR ONE (1) WEEK

Mr. Byrne, Legal Officer, stated that before any discussion is held on this subject he would request that it be put over for one week. The reason being, he stated, is that he had just received additional information on this subject from the Department's Permit Bureau which may lead to some minor revision of the draft resolution and he would like that additional time to make the necessary adjustments.

The matter was then continued one week.

CONSIDERATION OF RESTORATION OF JITNEY BUS PERMIT ISSUED  
TO JOSEPH C. GALLI. (CONTINUED FROM MEETING OF JANUARY  
16, 1980)

RESOLUTION NO. 59-80

WAIVER OF DEPARTMENT TIME LIMIT TO ALLOW FOR RENEWAL OF  
TAXICAB PERMIT PURSUANT TO PROPOSITION K

WHEREAS, pursuant to the recently adopted Vehicle For Hire Ordinance, a ballot measure, known as Proposition K, the provisions of which called for Vehicle For Hire owners to surrender their old permits and replace them with new ones; and

WHEREAS, the Permit Bureau of the San Francisco Police Department, in accordance with the provisions of Proposition K, directed a letter to all Vehicle For Hire permittees, informing them of the deadline from December 11, 1979 to December 28, 1979, to surrender their old permits for new ones; and



WHEREAS, the permittees were advised that failure to comply with this order, would result in their permits becoming null and void; and

WHEREAS, Mr. Joseph A. Filippelli, attorney for Mr. Galli, appeared before the Police Commission on Wednesday, January 16, 1980, and convinced the Commission that Mr. Galli had not received the December 11, 1979 letter from the Permit Bureau, but did receive the letter of January 3, 1980, that advised him that his Taxicab Permit No. 100 was null and void because of his failure to comply with the letter of December 11, 1979; therefore be it

RESOLVED, that the Police Commission, after hearing testimony from Mr. Joseph A. Filippelli, attorney for Mr. Galli, accepts Mrs. Filippelli's statement, and hereby waives the time limit set by the department for compliance with Proposition K, and grants Mr. Galli permission to obtain a new permit in place of his old one pursuant to the provisions of Proposition K.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

CONSIDERATION OF RESTORATION OF JITNEY BUS PERMIT  
ISSUED TO MIGUEL A. HERNANDEZ. (CONTINUED FROM MEETING  
OF JANUARY 16, 1980)

RESOLUTION NO. 60-80

WAIVER OF DEPARTMENT TIME LIMIT TO ALLOW FOR RENEWAL  
OF JITNEY BUS PERMIT PURSUANT TO PROPOSITION K.

WHEREAS, pursuant to the recently adopted Vehicle For Hire Ordinance, a ballot measure, known as Proposition K, the provisions of which called for Vehicle For Hire owners to surrender their old permits and replace them with new ones; and

WHEREAS, the Permit Bureau of the San Francisco Police Department, in accordance with the provisions of Proposition K, directed a letter to all Vehicle For Hire permittees, informing them of a deadline from December 11, 1979 to December 28, 1979, to surrender their old permits for new ones; and

WHEREAS, the permittees were advised that failure to comply with this order, would result in their permits becoming null and void; and



WHEREAS, Mr. Miguel A. Hernandez, who owns permit No. 12, appeared before the Police Commission and convinced the Commission that he had not received the December 11, 1979 letter from the Permit Bureau, but did receive the letter of January 3, 1980, that advised him that his Jitney Bus Permit No. 12 was null and void because of his failure to comply with the letter of December 11, 1979; therefore be it

RESOLVED, that the Police Commission, after hearing testimony from Mr. Hernandez accepts Mr. Hernandez' statement and hereby waives the time limit set by the department for compliance with Proposition K, and grants Mr. Hernandez permission to obtain a new permit in place of his old one pursuant to the provisions of Proposition K.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

CONSIDERATION OF RESTORATION OF JITNEY BUS PERMIT ISSUED TO RASHIDA SUBEDAR

Commissioner Nelder asked if all of these problems in items 6, 7 and 14, developed because of the mail out to those persons concerned and Mr. Byrne acknowledged that fact and stated that there had been meetings with the City Attorney and Deputy City Attorney, Mr. Steven Diaz, and Mr. Diaz has forwarded a letter to the Police Commission in which he furnishes his opinion in that the Commission may give an extension of the original deadline date and try to insure that those persons receive accurate knowledge of a new deadline. He said that based on that, as to these three items on the calendar, since they have now come in and since the deadline has been extended, there is no problem with their being issued Proposition K permits assuming that the Commission feels that they legitimately did not receive their notices.

Commissioner Murphy then suggested that the remaining permittees who have not yet responded to the Police Department's notice be sent additional notices by certified mail, return receipt requested.

The Commission, thereafter, reviewed each item on a case by case basis and allowed them to exchange their old permits for new Proposition K permits.

RESOLUTION NO. 65-80

WAIVER OF DEPARTMENT TIME LIMIT TO ALLOW FOR RENEWAL OF



JITNEY BUS PERMIT PURSUANT TO PROPOSITION K

WHEREAS, pursuant to the recently adopted Vehicle For Hire Ordinance, a ballot measure, known as Proposition K, the provisions of which called for Vehicle For Hire owners to surrender their old permits and replace them with new ones; and

WHEREAS, the Permit Bureau of the San Francisco Police Department, in accordance with the provisions of Proposition K, directed a letter to all Vehicle For Hire permittees, informing them of a deadline from December 11, 1979 to December 28, 1979, to surrender their old permits for new ones; and

WHEREAS, the permittees were advised that failure to comply with this order, would result in their permits becoming null and void; and

WHEREAS, Mr. Rashida Subedar, who owns Permit No. 111, appeared before the Police Commission and convinced the Commission that he had not received the December 11, 1979 letter from the Permit Bureau but did receive the letter of January 3, 1980, that advised him that his Jitney Bus Permit No. 111 was null and void because of his failure to comply with the letter of December 11, 1979; therefore be it

RESOLVED, that the Police Commission, after hearing testimony from Mr. Subedar, accepts Mr. Subedar's statement and hereby waives the time limit set by the department for compliance with Proposition K, and grants Mr. Subedar permission to obtain a new permit in place of his old one pursuant to the provisions of Proposition K.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

NOT VOTING: Commissioner Sanchez

REQUEST OF MR. JOSE S. CORTEZ FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - CONTINUED FOR ONE (1) WEEK.

Because Mr. Cortez was not present at the hearing, the Commission decided to put it over for one week to allow for Mr. Cortez to be contacted and advised that he should be present to answer questions regarding his request.



HEARING OF POLICE OFFICER ROBERT C. MULRY, SUPPORT SERVICES-PROPERTY CONTROL - (CONTINUED FROM THE MEETING OF JANUARY 2, 1980).

Many arguments were presented by both attorneys as to why this matter should and should not be heard at tonights meeting.

Commissioner Nelder stated this will involve a policy matter and that the Commission should hear it in its entirety, he then moved that it be put over for two weeks to February 6, 1980.

Commissioner Murphy stated that she had some comments on the matter and that 6 months after the Commission issued its decision on Officer Mulry that the matter had been in abeyance for many months before that and that this was just a step in which he was given an opportunity to lose some weight.

Commissioner Toler stated that he would like to comment on the request made by counsel for information which he did not receive and in all fairness to the officer his counsel should be given the opportunity to receive this information and, therefore, he would second Commissioner Nelder's motion to postpone it to the 6th of February.

Commissioner Daly then asked if the reason for postponement would be because it would be addressing a police policy issue?

Commissioner Nelder then stated that it would be on his part because he was making it clear at this time to the opposing attorneys that when this matter comes up they had better bring back all of the witnesses they had when it was presented in the past because he was not going to make a decision on something he had not had the opportunity to hear. He said he was asking for a full presentation at that particular time. He then stated to Commissioner Daly that she and he were not really in a position to make that decision because they did not know who testified here two months ago.

The matter was then continued to February 6, 1980.

RESOLUTION NO. 61-80

HEARING OF POLICE OFFICER ROBERT C. MULRY, SUPPORT SERVICES-PROPERTY CONTROL DIVISION

WHEREAS, the hearing of Police Officer Robert C.



Mulry, Support Services-Property Control Division, was called; and

WHEREAS, it was stated by Commissioners Alfred Nelder and Jo Daly, that they wanted to hear more about the case, and preferred to have a hearing de novo, the Police Commission continued the hearing to February 6, 1980, to allow opposing attorneys to prepare for such presentation to the Commission; therefore be it

RESOLVED, that the date for the hearing of the charges filed against Police Officer Robert C. Mulry, Support Services-Property Control Division, is continued to Wednesday, February 6, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy

NOT VOTING: Commissioner Sanchez

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER DAVID FONTANA, CRIME SPECIFIC TASK FORCE.

The hearing of the appeal of the suspension of Police Officer David Fontana, Crime Specific Task Force, was called, it having been set for this date. Police Officer David Fontana appeared in person and was represented by Inspector Paul Chignell, Vice-President, San Francisco Police Officers' Association.

Mr. Lawrence Wilson, Legal Office, appeared as Prosecutor for the Police Department.

The following-named witness appeared for the Prosecution, was duly sworn and testified:

Officer Jesse Powell  
Muni Transit Officer

The following-named witnesses appeared for the Defense, were duly sworn and testified:

Police Officer David Fontana  
Crime Specific Task Force

Captain Charles Ellis  
Crime Specific Task Force

Captain John A. Mahoney  
Internal Affairs Bureau



Police Officer Barbara Brewster  
Crime Specific Task Force

It was stipulated that testimony from two other Crime Specific Task Force officers, who were present and ready to testify that, their testimony would be the same as that heard from Police Officer Barbara Brewster.

Closing statements were then made by Inspector Paul C. Chignell and Mr. Lawrence Wilson.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 62-80

DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY  
OF POLICE OFFICER DAVID FONTANA, CRIME SPECIFIC TASK  
FORCE.

WHEREAS, Police Officer David Fontana, Crime Specific Task Force, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of ten (10) working days beginning Thursday, December 13, 1979 at 0001 hours and ending Wednesday, December 22, 1979 at 2400 hours; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Officer David Fontana, Crime Specific Task Force, did file with the Secretary of the Police Commission a written appeal of his suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Wednesday, January 23, 1980; and on Wednesday, January 23, 1980, the matter was submitted to the Police Commission for decision; therefore be it

RESOLVED, that it is the order of the Police Commission that Officer Fontana's Chief's suspension of ten (10) working days without pay be reduced to three (3) working days without pay; and be it further

RESOLVED, that it is the order of the Police Commission that Officer Fontana be specifically assigned, at the convenience of his Commanding Officer, for eight hours of sensitivity training and shall be given a written reprimand in conjunction with this edict, by the Chief of Police.



Recess taken during Hearing:  
1930 hours to 1952 hours.

(The entire proceedings were taken  
in shorthand form by Hearing Reporter  
Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Daly, Nelder, Toler, Murphy

NOT VOTING: Commissioner Sanchez

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE  
OFFICER RALPH SCHOENSTEIN, NORTHERN POLICE STATION

The hearing of the appeal of the suspension of Police Officer Ralph Schoenstein, Northern Police Station, was called, it having been set for this date. Police Officer Ralph Schoenstein appeared in person and was represented by Inspector Paul C. Chignell, Vice-President, San Francisco Police Officers' Association.

Mr. Lawrence Wilson, Legal Office, appeared as Prosecutor for the Police Department.

The following-named witnesses appeared for the Defense, were duly sworn and testified:

Police Officer Ralph Schoenstein  
Northern Police Station

Police Officer Michael Slade  
Northern Police Station

Cornelius P. Murphy  
Chief of Police

Closing statements were then made by Inspector Paul C. Chignell and Mr. Lawrence Wilson.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 63-80

DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY  
OF POLICE OFFICER RALPH SCHOENSTEIN, NORTHERN POLICE  
STATION



WHEREAS, Police Officer Ralph Schoenstein, Northern Police Station, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of two days beginning at 0001 hours, on Monday, January 28, 1980, and ending at 2400 hours on Tuesday, January 29, 1980; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Officer Ralph Schoenstein, Northern Police Station, did file with the Secretary of the Police Commission a written appeal of his suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Wednesday, January 23, 1980; and on Wednesday, January 23, 1980, the matter was submitted to the Police Commission for decision; therefore be it

RESOLVED, insofar as the Commission did not alter or reverse the suspension of the Chief, it is hereby sustained; and be it further

RESOLVED, that it is the order of the Police Commission that having sustained the Chief's suspension against Police Officer Ralph Schoenstein, that for future promotional examinations, the officer shall not have points deducted for this particular case.

Recess taken during the hearing:

2059 hours to 2110 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Daly, Nelder, Toler, Murphy

NOT VOTING: Commissioner Sanchez

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HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER MICHAEL SLADE, NORTHERN POLICE STATION.

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The hearing of the appeal of the suspension of Police Officer Michael Slade, Northern Police Station, was called, it having been set for this date. Police



Officer Michael Slade appeared in person and was represented by Inspector Paul C. Chignell, Vice President, San Francisco Police Officers' Association.

Mr. Lawrence Wilson, Legal Office, appeared as Prosecutor for the Police Department.

The following-named witnesses appeared for the Defense, were duly sworn and testified:

Police Officer Ralph Schoenstein  
Northern Police Station

Police Officer Michael Slade  
Northern Police Station

Cornelius P. Murphy  
Chief of Police

Closing statements were then made by Inspector Paul C. Chignell and Mr. Lawrence Wilson.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 64-80

DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY  
OF POLICE OFFICER MICHAEL SLADE, NORTHERN POLICE STATION

WHEREAS, Police Officer Michael Slade, Northern Police Station, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of two days beginning at 0001 hours on Monday, January 28, 1980, and ending at 2400 hours on Tuesday, January 29, 1980; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Officer Michael Slade, Northern Police Station, did file with the Secretary of the Police Commission a written appeal of his suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Wednesday, January 23, 1980; and on Wednesday, January 23, 1980, the matter was submitted to the Police Commission for decision; therefore be it



RESOLVED, insofar as the Commission did not alter or reverse the suspension of the Chief, it is hereby sustained; and be it further

RESOLVED, that it is the order of the Police Commission that having sustained the Chief's suspension against Police Officer Michael Slade, that for future promotional examinations, the officer shall not have points deducted for this particular case.

Recess taken during the hearing:

2059 hours to 2110 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Daly, Nelder, Toler, Murphy

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 37-80

CHANGES IN PERSONNEL OF THE SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that the Police Commission hereby approves the removal and appointment set forth below pursuant to Charter Section 3.501 as January 17, 1980:

REMOVAL

Robert Seghy (Commander)

APPOINTMENT EFFECTIVE AT 0001 HOURS THURSDAY, JANUARY 17, 1980

Gerald D'Arcy (Commander)

therefore be it further

RESOLVED, that the above appoointment made by Chief of Police Cornelius P. Murphy, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy

NOT VOTING: Commissioner Sanchez



The Commission then adjourned its meeting at  
2116 hours.

W.H. E. Flory  
\_\_\_\_\_  
SECRETARY



30 JANUARY 1980

REGULAR MEETING

*Minutes*  
The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 30, 1980 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

**DOCUMENTS DEPT.**

Commissioner Sanchez presiding.

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The Commissioners, having received, amended and returned copies of the minutes of the meetings of December 12, 1979, December 26, 1979, and January 2, 1980, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2801-23rd STREET - S.F. RENAISSANCE

- a) At 2801-23rd Street, install a 22' yellow zone, extending from 10' to 32' east of west property line. (Repaint red at crosswalk)

847 COLUMBUS AVENUE - S.F.P.D. - REVOKED

- a) At 847 Columbus Avenue, revoke existing 36' white zone, extending from east property line 36' west of same.

820 CHESTNUT STREET - SAN FRANCISCO ART INSTITUTE - S.F.P.D. - REVOKED

- a) At 820 Chestnut Street, revoke existing 10' yellow zone, extending from 118' to



128' west of Jones Street. Diagonal parking reducing zone to 20' yellow.

755 ASHBURY STREET - ST. AGNES SCHOOL - S.F.P.D. - REVOKED

- a) At 755 Ashbury Street, revoke existing 36' yellow zone, extending south from south line of residence across frontage of school yard gate.

755 ASHBURY STREET - ST. AGNES SCHOOL - S.F.P.D. - REVOKED

- a) At 755 Ashbury Street, revoke existing 36' white zone, extending north from south building line.

771 ASHBURY STREET - SISTERS OF PERPETUAL ADORATION - S.F.P.D. - REVOKED

- a) At 771 Ashbury Street, revoke existing 45' white zone, extending from 66' to 111' north of south building line.

826 HARRISON STREET - S.F.P.D. - REVOKED

- a) At 826 Harrison Street, revoke existing 40' yellow zone, extending from 54' to 94' east of west property line.

715 HARRISON STREET - S.F.P.D. - REVOKED

- a) At 715 Harrison Street, revoke existing 40' green zone, extending from 40' west of east property line.

735-749 BATTERY STREET - S.F.P.D.. - REVOKED

- a) At 735-749 Battery Street, revoke existing 30' yellow zone, extending from north of south building line.

718 COLUMBUS AVENUE - S.F.P.D. - REVOKED

- a) At 718 Columbus Avenue, revoke existing 22' yellow zone, extending from 140' to 162' south of Greenwich Street.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 295 feet of green, yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 68-80

FRANCES M. CALLAGHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frances M. Callaghan against the City and County of San Francisco in the sum of \$37.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 2, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 69-80

MARI-ELLEN ROWE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mari-Ellen Rowe against the City and County of San Francisco in the sum of \$100.00 as the result of property damage, be, and the same is hereby approved.

Date of Incident: October 30, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 70-80

MICHAEL E. VASQUEZ

RESOLVED, that the recommendation of the



City Attorney for settlement of the claim of Michael E. Vasquez against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1970

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 71-80

VIRGINIA WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Virginia Williams against the City and County of San Francisco in the sum of \$1,000.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 3, 1977

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 72-80

EDGAR VILLALOBOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edgar Villalobos against the City and County of San Francisco in the sum of \$790.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 9, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 73-80

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$6,000.00 charging same to Firm No. 355081 2021 133 01 as an advance on the Police Narcotic Fund for the month of January, 1980.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 74-80

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of January, 1980.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 67-80

AUTHORIZING AND DIRECTING THE CHIEF OF POLICE TO EXECUTE TRAINING AGREEMENT BETWEEN THE POLICE DEPARTMENT OF THE CITY AND COUNTY OF SAN FRANCISCO AND THE STATE OF CALIFORNIA, DEPARTMENT OF CALIFORNIA HIGHWAY PATROL.

RESOLVED, that the Board of Supervisors, be, and they are hereby requested to authorize and direct the Chief of Police to execute training agreements between the Police Department of the City and County of San Francisco and the State of California, Department of California Highway Patrol.

(Copy on file in the Officer of the Police Commission)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 75-80

AUTHORIZING ATTENDANCE OF LIEUTENANT LLOYD CROSBIE,  
INSPECTORS TIMOTHY CASEY, THOMAS VIGO, MICHAEL  
DOWER, BARRY JOHNSON, AND LAWRENCE PASERO AT A  
ROBBERY INVESTIGATION SEMINAR AT SAN BRUNO, CALIF-  
ORNIA ON FEBRUARY 7, 1980 AND FEBRUARY 8, 1980.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Lloyd Crosbie, Inspectors Timothy Casey,, Thomas Vigo, Michael Dower, Barry Johnson, and Lawrence Pasero be detailed to attend a Robbery Investigation Seminar at San Bruno, California, on February 7, 1980 and February 8, 1980, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Crosbie, Inspectors, Casey, Vigo, Dower, Johnson and Pasero, in a sum not to exceed \$30.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 76-80

**TRAVELING EXPENSE VOUCHER - APPROVED**

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Richard D. Klapp) \$212.00 (Commission on  
Personnel and Training ) (Peace Officer  
(Standards and  
(Training Meeting  
(at San Diego, Cal-  
(ifornia, from  
(January 17, 1980  
(to January 18, 1980,  
(inclusive.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 66-80

AUTHORIZING ATTENDANCE OF SERGEANT GREGORY CASH, CENTRAL POLICE STATION, AT THE SELF-DEFENSE AND ARREST TECHNIQUES INSTRUCTOR'S COURSE AT SANTA ROSA, CALIFORNIA, FROM FEBRUARY 4, 1980 TO FEBRUARY 15, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Gregory Cash, Central Police Station, be detailed to attend the Self-Defense and Arrest Techniques Instructor's Course at Santa Rosa, California, from February 4, 1980 to February 15, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Cash will be reimbursed by the California Commission on Peace Officer Standards and Training (P.O.S.T.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

At this point Commissioner Murphy mentioned that over the last four years one of the Commissioners was assigned to make a judgment on the Narcotics Expenditures. She said former Commissioner Judith Ciani did it the entire time and that she did not know if the Commission still needed to do that or assign a member to continue to do it.

Chief Murphy stated that he would suggest that the Officer-in-Charge of the Narcotics Section come in to the Commission's Executive Session and explain the Fund and its expenditures and if there are any future questions to the specific report then he would have that person respond.

Commissioner Murphy then stated that she had one other issue she wanted to bring up and that was to have Commissioner Daly be nominated to attend the Mayor's Criminal Justice Council Meetings in her place with a letter to the Council advising them of the change.

Commissioner Sanchez then thanked Commissioner Murphy for the many, many hours she has spent attending those meetings.



COMMISSION REPORT

Commissioner Sanchez stated that the reason for listing this as the Commission's Report is because the Commission will be entertaining specific areas of reports from the individual Commissioners and/or the full Commission. He said as an example there is a Charter Revision Draft which has now been circulated and also printed in its entirety in this morning's San Francisco Chronicle. He said that next week the Commission will have under the Commission's Report, discussion on this item, which he feels is pertinent to the Commission's Operation itself.

Secondly, he stated, that given Proposition 2 which will appear on the State Ballot this year, that in the Department of Public Health and other City Agencies, many have been taking a look at fiscal levels of institutional support, or lack of same, as far as projections for the new calendar year.

He said the Commission should discuss at the next meeting the Commission's operation as far as the Commission's own fiscal hearings for the Department and that this would be the proper place in which this discussion can be scheduled.

He said the Commission Report is not listed as an overall project but only to show that in essence, there are certain areas of the Commission itself which are important, and must be addressed on a week to week basis, those items that are coming up as far as a priority, or lack of same.

On another subject he stated that he hoped that sometime in the near future that the Commission receive a Chief's Report discussing the Department's impact as a law enforcement agency with the school, both in reference to the uniform and non-uniform people, and what the Commission feels might be the best options in taking a look at the upcoming budgets for Fiscal Year 80/81. He said he knew there has been a lot of concern over the years voiced on men and women being in the schools and not being in the schools in the department in uniform, or non-uniform, and the fact remains that there are tragedies such as the Wilson High incident and the instant response is to increase dramatically our uniform men and women after the fact has already taken place. He said he hoped that the Commission and the Department could undertake some long range planning in attempts to minimize these situations or perhaps provide staff training not only for school people but for others involved with dealing with youth under these circumstances.



CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief stated that he had no report tonight but he would be responsive to questions the Commission may have.

Commissioner Nelder then stated that before proceeding to the next item that last week he brought up a question of response time and that he had asked at that particular time that we get some idea of the average response time that exist today which will give the Commission some yardstick by which to judge what equipment the Department might need. He said that perhaps the Commission could hear from either the Chief and/or Deputy Chief as to that situation before going into the Budget Hearings because there may be some rolling stock that the Department would need, otherwise the Commission wouldn't have any idea as to what might be necessary to shorten the response time. He stated that he realized that the problem of manpower at the present time is the Department's chief concern and that this would have an impact on the response time. He said that it is interesting to note that he brought this up last week and then just a couple of nights ago a young lady called him because nobody responded after three shots were fired at her dwelling and after he checked into it he found that the calls were backed up and it was simply impossible to respond, under the circumstances any sooner, unless there had been some improvisation to do so. He said he didn't think the Department would be able to do that unless additional equipment is obtained and the Commission has an idea as to what the response time is today.

Chief Murphy stated that the survey is being conducted now and will be ready for the Commission at the next meeting and the one on the Crime Lab will be ready the week after. He said it will be a current survey and not an old one which will tell the Commission what the Department is doing. He said part of the problem of getting that information is that officers must go 10-97 when they arrive at an incident and then go 10-98 when they are going elsewhere. Many times it is not recorded on the CR Slips. He said the Department is up to the point now where it is being fully recorded and if the officer doesn't volunteer it then the dispatcher will request it, so, there will be good reading on it by the next Commission meeting.

Commissioner Daly then asked as to how soon could the Commission have a report on the schools as to how it is now and as it has been on Police Officers assigned to the school.

Chief Murphy stated that he could have that for the Commission at the next meeting. He said the department is in a process now of reassessing again and



talking to all the Principals at the schools where the officers were assigned before. He said eight schools were involved before and there may be a need to have eight officers, maybe 6, or maybe 10, but he said they were going to talk to all those people again and get a good view of what is going on in the schools.

Commissioner Sanchez then stated that last year the Commission requested a study of the differential type of Law Enforcement services available in the City, either directly or indirectly everywhere from the Port, to the Hospital, to the Muni and others. He suggested that someone in the Department review that study and consider working with the School District and others and submit a training proposal to begin to train some staff within the Department, the hospital and the others mentioned, as far as Law Enforcement services are concerned. He said that this way the Department could maximize rather than right away say, "look we don't have the money so, therefore, we can't provide the service, but how can we use this resource in order to maximize their capabilities." He said maybe they could be rotated, either through the Academy or some other training facility. He said that should be reviewed with a view as to what the possibilities are and where the Department could establish some comprehensive uniform training across the board to all of these agencies rather than say we don't have the manpower. He said he would hope that this might be part of the review and perhaps not all next week but some sort of on-going discussions.

#### RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Murphy stated that she had the privilege of Chairing the Awards Committee Meeting this past Friday and that it was a very interesting meeting. She said it is the kind of meeting that gives you faith again about how really very brave our officers are. She said that at that meeting the Committee approved 4 Gold, 12 Silver, and 11 Bronze Medal of Valor Awards. She said they also approved 3 Meritorious Conduct Awards. Of the Bronze Medal Awards she said there were two officers, Officer Frank Harrington and Officer William J. McGee who were partners and missed a Silver Medal by one vote of the Committee. She said she felt that it was appropriate at this time for the Commission to increase that vote thereby allowing them to receive a Silver Medal rather than a Bronze Medal and that she would move that the Commission vote on this at this meeting. This motion was then seconded by Commissioner Nelder and unanimously approved.



Also a recommendation to suspend the current rule which allowed the attendance of only civil service captains of police was passed in resolution form. Because of the procedures involved to pass this resolution it was deferred until the meeting of February 20, 1980.

Commissioner Murphy stated that she and Chief Murphy realized that the Committee could, in future meetings, be without a quorum due to the shortage of Civil Service Captains in the Department and both felt it would be perfectly appropriate for an Acting Captain to attend these meetings.

Commissioner Nelder then stated that there is a rule that requires an officer representing a higher rank to act within the concept of the demands of that particular rank to meet that demand. He said he felt that until there is another Civil Service Test to increase the numbers in the rank of Captain he would vote approval.

Chief Murphy said he felt that it would be in the best interest of everyone since these men are Commanding Officers and they are making recommendations for their subordinates to receive these medals, they should be allowed to participate and vote at these meetings. The proposed resolution was then unanimously approved.

RESOLUTION NO. 77-80

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, Bronze Medal, and Meritorious Conduct Award, under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, January 25, 1980:

Inspector Philip S. Roebling.....Gold Medal of Valor

Police Officer James E. Drago.....Gold Medal of Valor

Police Officer Daniel A. Hampton...Gold Medal of Valor

Police Officer Randolph M.

Radosevich.....Gold Medal of Valor

Inspector Thomas A. Crawford.....Silver Medal of Valor

Inspector Edward A. Tank.....Silver Medal of Valor



Sergeant Raymond R. Portue.....Silver Medal of Valor  
Police Officer Aaron Barnes.....Silver Medal of Valor  
Police Officer Carl L. Decker.....Silver Medal of Valor  
Police Officer Kevin M. Gotchet....Silver Medal of Valor  
Police Officer Stephen T. Gough...Silver Medal of Valor  
Police Officer Frank J.  
Harrington.....Silver Medal of Valor  
Police Officer Charles J. Keohane..Silver Medal of Valor  
Police Officer Michael D. Lee.....Silver Medal of Valor  
Police Officer Frank M. McDonagh...Silver Medal of Valor  
Police Officer William J. McGee....Silver Medal of Valor  
\*Police Officer Richard P. Wallett..Silver Medal of Valor  
Police Officer Edward J. Wynkoop...Silver Medal of Valor  
Police Officer Daniell F.  
Dougherty.....Bronze Medal of Valor  
Police Officer John M. Farnham....Bronze Medal of Valor  
Police Officer David Roccaforte....Bronze Medal of Valor  
Police Officer Mark C. Gamble.....Bronze Medal of Valor  
Police Officer Ivan W. Jackson.....Bronze Medal of Valor  
Police Officer William J. Kelly....Bronze Medal of Valor  
Police Officer Douglass Kidd III...Bronze Medal of Valor  
Police Officer Timothy J. McDonald..Bronze Medal of Valor  
Police Officer Stewart Bing Ng.....Bronze Medal of Valor  
Police Officer Michael E. Connors..Meritorious Conduct  
Award  
Police Officer Robert F. Martinez..Meritorious Conduct  
Award  
Police Officer Joseph A. Zamagni...Meritorious Conduct  
Award

\*Awarded two (2) Silver Medal of Valor.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 78-80

REWARDS GRANTED TO MEMBERS OF THE POLICE  
DEPARTMENT

WHEREAS, the following-named members of the police Department have been commended for courageous service under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, January 30, 1980; and

WHEREAS, Chief of Police Cornelius P. Murphy has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405 (a) (4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Inspector Philip S. Roebling, Police Officers James E. Drago, Daniel A. Hampton, and Randolph M. Radosevich, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Inspectors Thomas A. Crawford, Edward A. Tank, Sergeant Raymond R. Portue, Police Officers Aaron Barnes, Carl L. Decker, Kevin m. Gotchet, Stephen T. Gough, Frank J. harrington, Charles J. Keohane, Michael D. Lee, Frank M. Mc Donagh, William J. McGee, Richard P. Wallett (awarded two Silver Medals of Valor), and Edward J. Wynkoop, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Daniell F. Dougherty, John M. Farnham, David Roccaforte, Mark C. Gamble, Ivan W. Jackson, William J. Kelly, Douglass Kidd III, Timothy J. McDonald, and Stewart Bing Ng, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Michael E. Connors, Robert F. Martinez, and Joseph A. Zamagni, be, and they are hereby awarded Meritorious Conduct Awards, and granted a reward of \$50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 79-80

AMENDING PART III, OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 28 THEREOF: REQUIRING FEES FOR PUBLICATION OF CERTAIN APPLICATIONS TO BE PAID BY APPLICANTS. (CONTINUED FROM THE MEETING OF JANUARY 23, 1980)

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WHEREAS, the filing for certain applications for permits causes a publication of notice in the official newspaper of the City and County; and

WHEREAS, said publication fee is currently paid by the issuing department; and

WHEREAS, said costs should be added to the fees required for a permit; therefore be it

RESOLVED, that the attached proposed ordinance, amending Section 28 of Part III of the San Francisco Municipal Code, is hereby transmitted to the City Attorney for approval as to form and his forwarding to the Board of Supervisors for adoption.

(Copy on file in the Officer of the Police Commission.)

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REQUEST OF MR. JOSE S. CORTEZ FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS. (CONTINUED FROM THE MEETING OF JANUARY 23, 1980)

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Commissioner Nelder stated that last week this matter was before the Commission to increase the seating capacity of this man's Jitney from 12 to 15 and it was indicated that his bus does fulfill the requirement. He said that actually there was no objection to it last week but it was his feeling that the applicant should be here so that the Commission could meet him and that it is a policy the Commission should follow.

Mr. Cortez stated that he had not appeared because he had not received notification to do so. It was then approved.



Commissioner Murphy stated that she would just like to comment that this is the second time there has been a failure to getting appropriate notices to permittees through the mail. She stated that she felt that the mail is such that notices of this import should be sent by Certified Mail, she said first many persons did not receive their notices on Proposition K and now this. She said this being the permittees livelihood that it is worthy of Certified Mail being used.

Commissioner Sanchez then advised the Commission Secretary to contact the Permit Bureau and develop a policy for the Commission to review which would be uniform as far as the most reasonable way and yet a way which would show they (the Permittees), in fact, did receive the material sent.

RESOLUTION NO. 80-80

REQUEST OF MR. JOSE S. CORTEZ FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - APPROVED

WHEREAS, Mr. Jose S. Cortez requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. Jose S. Cortez' capability and of having purchased the appropriate amount of insurance to cover such increase, approves Mr. Jose S. Cortez request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Jose S. Cortez for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

HEARING OF LIEUTENANT RICHARD WILLETT, TRAFFIC BUREAU-



HIT AND RUN DETAIL

Mr. Bley asked for a two week continuance in this matter because he stated that Lieutenant Willett's doctor had said the officer could not appear tonight and that next week another hearing had already been scheduled to be heard and that both would be very lengthy.

Chief Murphy stated that he would be opposed to a two week continuance in this matter because Lieutenant Willett is a non-civil service Lieutenant, who, on February 18th, will have completed one year in that rank and be eligible for retirement at Lieutenant's salary. He said that he felt that any continuance would be just a delay and that he would revert Lieutenant Willett back to the Civil Service Rank of Sergeant and then place the matter before the Civil Service Commission for final adjudication. He said, therefore, he is opposed to any further continuance other than one week.

The matter was then scheduled for Wednesday, February 6, 1980.

RESOLUTION NO. 81-80

HEARING ON LIEUTENANT RICHARD WILLETT, SUPPORT SERVICES-IDENTIFICATION BUREAU

WHEREAS, the hearing of Lieutenant Richard Willett, Support Services, Identification Bureau, was called, it having been set for this date; and

WHEREAS, the Commission was in receipt of a letter from Patrick E. Taylor, M.D., advising that Lieutenant Willett was not completely well enough to attend the hearing; therefore be it

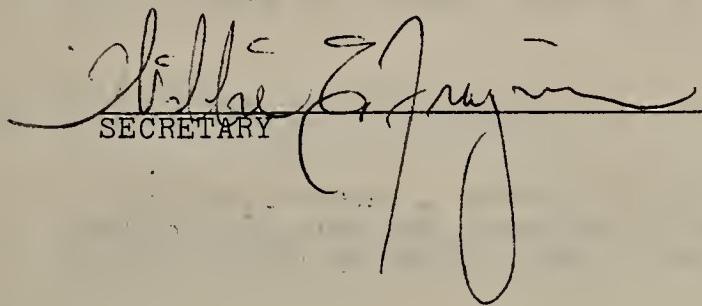
RESOLVED, that the hearing of the disciplinary charges filed against Lieutenant Richard Willett, Support Services, Identification Bureau, is set for Wednesday, February 6, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



Commissioner Murphy then stated that she read in the paper and saw on TV a very tragic incident of a police officer's daughter being killed, Cathy Denise Stewart, 21 year old daughter of Police Officer Robert Stewart who has been with this Department many years. She said she was requesting that the Police Commission adjourn in her memory.

The Commission then adjourned its meeting at 1800 hours in memory of Officer Robert Stewart's daughter, Cathy Denise Stewart, who was killed in an automobile accident at the age of 21.

  
\_\_\_\_\_  
SECRETARY



6 FEBRUARY 1980

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 6, 1980 at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

875 POST STREET - BRAZIL HOTEL

- a) At 875 Post Street, install a 22' white zone, extending from 6' to 28' west of east property line.

2850-19th AVENUE - CALIFORNIA BODIES SCOTTISH RITE

- a) At 2850-19th Avenue, install a 22' blue zone, extending from 41' to 63' south of north property line. Two Diagonal zones.

2011 FOLSOM STREET - CALIFORNIA AUTO SUPPLY

- a) At 2011 Folsom Street, install a 22' yellow zone, extending from 58' to 80' south of north building line.

2930 GEARY STREET - CARPETERIA - DENIED

- a) At 2930 Geary Street, install a 22' yellow zone, extending from 45' to 67' west of east building line. DENIED.

DOCUMENTS DEPT.

FEB 6 1980

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b) Remove meter GEA 2906. DENIED.

1432 HAIGHT STREET - S.F.P.D. - REVOKED

a) At 1432 Haight Street, revoke existing 44' yellow zone, extending from 44' east of west property line.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 44' feet of yellow zone, at the part of the City, at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 83-80

ANTHONY RUZICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony Ruzich against the City and County of San Francisco of Small Claims Action No. 368-166 in the sum of \$263.58 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 17, 1979

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 84-80

LAURINE KNOPKE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim



of Laurine Knopke against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 17, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 85-80

KEITH M. WALKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Keith M. Walker against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1979

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 82-80

AUTHORIZING ATTENDANCE OF POLICE OFFICERS EDWARD DULLEA, MISSION STATION, AND MICHAEL TRAVIS, CRIMES SPECIFIC TASK FORCE, AT AN EXPLOSIVE ORDNANCE DISPOSAL TRAINING COURSE AT HUNTSVILLE, ALABAMA, FROM FEBRUARY 10, 1980 TO FEBRUARY 29, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Edeward Dullea, Mission Station, and Michael Travis, Crimes specific Task Force, be detailed to attend an Explosive Ordnance Disposal Training Course at Huntsville, Alabama, from February 10, 1980 to February 29, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Officers Dullea and Travis, in a sum not to exceed \$1,402.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 86-80

TRAVELING EXPENSE VOUCHER ~ APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Lawrence R. Gurnett) \$244.00 (Field Management Training, Personnel & Training ) (Los Angeles, California, from (January 20, 1980 (to January 23, 1980, (inclusive.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

COMMISSION REPORT - DISCUSSION RE: PROPOSED CHARTER REVISION - CONTINUED FOR ONE (1) WEEK

Commissioner Sanchez: "I would like to take this opportunity to see if we could hold on calendar this very important item and there have been numerous things happening this past week and many of us, including myself, have not done the scut work or the homework to have adequate discussion. I understand however, that Mr. Frank Fitch, the Treasurer of the San Francisco Charter Commission, is here this evening. Mr. Fitch, we would like the opportunity, if at all possible, to hold this on calendar for the next meeting and, if possible, to have you here and in this way we might have a summation from you and any questions or discussions we would like to share with you directly if this is possible."

Frank Fitch: "That would be fine."

Commissioner Sanchez: "I apologize for not notifying you sooner, we came in kind of late on this thing, we did want to have some thorough discussion pertaining to the revisions by your Commissioner."

Frank Fitch: "One thing you might want to do between now and next week is ask your Legal Department and/or City Attorney, whichever you choose, to examine those sections of the proposed draft that deal with the Police Commission to see if they will accomplish what



you want to accomplish. Number 1 and 2 specific sections on dealing with-on page 26, on number 4E, near the bottom of the page. What happened on this, so you will have just a small idea of the history, is there were those of us on the Charter Commission who believed that the Police Commission should have subpoena power to--in the case of the Police Commission, insure that it has the ability to be a civilian review board for the Police Department. There were some on the Commission who objected to the word subpoena, that word being used with any body other than the full Board of Supervisors. So this is compromise language. It was the belief of those of us who accepted this compromise that it did indeed give you subpoena power, but it may be vital to check with those who know something about Municipal Law if what we assumed is correct."

Commissioner Sanchez: "Fine, well thank you very much for bringing that to our attention, there are other concepts, I think there was a mention of a trial rather than an administrative hearing, and our staff is reviewing this as far as the legal implications, because we, in essence, do have administrative hearings, we have a couple this evening which are not the same as trials which I think are purported in the Charter Revision. But as I said, hopefully, next week we will have an opportunity to discuss this with you on calendar and do our homework and get back to you and at the same time have it reviewed by our own legal counsel as they take a look at some of the terminology as so defined."

Frank Fitch: "Great, if possible, I would appreciate sharing with you the information you receive from Legal Counsel."

Commissioner Sanchez: "Fine. This will be held over for next week's meeting."

At this point Commissioner Murphy asked for an interpretation of open meetings as opposed to closed meetings for the benefit of a member of the audience who frequently attended Police Commission meetings.

Mr. Wilson, Legal Office, stated that Commission meetings are required by the Government Code to be open to the public with the exception of personnel matters. He stated that it did give individuals who are the subject of the personnel matter the right to have an open hearing. He said the law doesn't specify that hearings must be open but it does give the Commission the right to close hearings regarding personnel matters to the public.



Commissioner Sanchez then stated that that is why he felt there needs to be an important distinction between administrative hearings and a formal trial which the Commission will be discussing next week on the Charter.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy stated that he had a report on the conditions in the Crime Lab and that Deputy Chief Stanley Cordes would present it.

Deputy Chief Cordes, for the benefit of those Commissioners who were unfamiliar with the organization of the Crime Lab, gave them an overview of its structure. He then stated that the Lab is currently operating shorthanded as far as personnel goes. He said there are vacancies of Assistant Criminalist, and 1 Lab Assistant, and 2 Evidence Technicians. He said the biggest shortage in personnel is in the Photo Lab. He said they have just made an administrative change in the Criminalistic Division because of the great emphasis on narcotic evaluation with more coming in all of the time. What they have done, he stated, is that they have put a lieutenant in charge. The criminologist will handle the analysis and examination section, will be in charge of all of the scientific matters. He said he would like to leave that as a preliminary report and then return in 90 days and advise the Commission as to how this new structure revision is working out.

Commissioner Nelder stated that he thought that would be appropriate and then asked the Deputy that when he submitted that report to also submit the lack of, or need of equipment that is needed by the Unit.

Commissioner Sanchez then stated that during the Deputy's report he cited that in 1977 there were something like 2800 narcotic arrest, and then in 1979 there were something over 4000. He then asked if during this 2 year period this increase was brought on by a re-deployment of manpower into this area, or what were the reasons as he saw it?

Deputy Chief Cordes stated that maybe there were more narcotic users on the street, or perhaps it had to do with a cultural change.

Commissioner Sanchez stated that he was asking as an example because last week there was a Press Release as to the Chief re-activating the "S" Squad in certain areas of the city, and he wondered if



part of the justification for this was in order to increase manpower, including this particular area of law enforcement, and if so, is that draining some of the other field positions, or how will it operate at this point?

Chief Murphy then stated that two years ago there was a shift in emphasis in the focus of the narcotic section. They became more heavily involved in the street buys which was done in the Polk Street, and different areas in San Francisco. He said in the approach of trying to get to the 3rd and fourth level dealers there was a heavy emphasis on street enforcement for narcotic sales. He said that is the reason for the main increase. There has not been a significant increase in the staffing of the narcotic section in over the last two years.

Commissioner Daly then asked that when the Chief speaks of street narcotics, what percentage of it would be Marijuana?

The Chief stated that he did not have that figure but he would be able to get it for her at the next meeting.

Commissioner Nelder stated that the purpose of the inquiry by the Commission as to the status of the Crime Lab is to not permit the Crime Lab to be on the "back burner" and that common sense tells everyone that a Metropolitan City the size of San Francisco should have a Crime Lab that is equivalent to any in the nation, and he said first of all we should find out what the problems, if any, are, and six months ago when he was on the Board of Supervisors, he went through the Crime Lab and it appeared to be overcrowded and under staffed and in need of certain equipment, and in the light of modern police work everyone knows that physical evidence speaks most eloquently if it is done and done properly, and this is the purpose of the pursuit to make this Crime Lab second to none in the nation.

Commissioner Sanchez then thanked Deputy Chief Cordes for his presentation.

Chief Murphy then called upon Deputy Chief Shannon to give the Commission a brief overview on the budget.

He said this year the Department's Budget was 96 million, 415 thousand dollars, the sworn line was 81 million 200 thousand dollars, the civilian line was 9 million, 470 thousand dollars and other expenses were 5 million, 745 thousand dollars. He



continued by saying the anticipated sworn line next year, comparing this year's salaries will be 87 million, 154 thousand dollars, which is necessitated by the Consent Decree which dictates that the Department must, between now and December 31, appoint 240 men to Sergeant and 123 to Assistant Inspector. He said the Mayor's Office gave the Department 4 base line budgets starting with a minimum of 88 million dollars to a maximum of a 97% figure of 95 million 400 thousand dollars. He said the sworn line will be 87 million 154 thousand dollars, he said the department has mandatory operational expenses such as the telephone, gasoline, etc., which amounts to 4 million dollars. He said if the Department receives the maximum figure there will still only be available after sworn salaries, 4 million, 246 thousand dollars to cover the civilian line and any other expenses. He said this year to cover that line the Department is spending 9 million dollars. Therefore, there will be a 5 million dollar deficit in accordance with this year's first budget report. He said each week, successive week, he will continue to report to the Commission on the status of the budget.

Commissioner Murphy stated that in the budget last year the Department allocated \$50,000 dollars for a Hearing Officer and she was wondering where those funds are at this time.

Deputy Chief Shannon stated that the funds were still available.

Commissioner Nelder stated that he would like to hear more about the Hearing Officer because, actually, the Chief would be relinquishing his authority and so would the Commission to a Hearing Officer and he would be reluctant to do that.

Commissioner Sanchez then asked if there were any more questions in regard to the budget, and receiving none, then said that there has been some discussion and will be even more so pertaining to the status of the academy, and the training and recruitment, and hiring, and that he would hope that some time within the next two weeks if there might be, under the Chief's Report, the status of the training academy and how the recruits are doing, and what the projections are so that the Commission could have an on-going, comprehensive understanding as to where the Department stands regarding the approach to increasing numbers for the academy and projections for Fiscal Year 80/81.



CONTINUATION OF THE HEARING OF POLICE OFFICER  
ROBERT MULRY, SUPPORT SERVICES BUREAU - PROPERTY  
CONTROL DIVISION

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The matter of the hearing of Police Officer Robert Mulry, Support Services Bureau-Property Control Division, was called, it having been continued from the meeting of January 23, 1980.

Police Officer Robert Mulry appeared in person and was represented by Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the San Francisco Police Department.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following exhibit was entered into evidence by the Defense:

Exhibit A - Letter from Gilbert J. Kucera, M.D., dated January 25, 1980, addressed to the City Retirement System, stating that Officer Robert Mulry should be on permanent light duty, and permanently restricted from full police duties.

Police Officer Robert Mulry and Dr. Norman Steiner, were then questioned by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 87-80

DECISION - HEARING OF POLICE OFFICER ROBERT MULRY,  
SUPPORT SERVICES BUREAU - PROPERTY CONTROL DIVISION

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WHEREAS, on August 2, 1978, Charles R. Gain, Chief of Police, made and served charges against Police Officer Robert Mulry, as follows:



SPECIFICATION NO. 1

- a) That on or about July 7, 1978, the accused was weighed at the Police Gym of the San Francisco Police Department and registered an actual weight of 274 lbs.;
- b) The accused is 5' 11" tall;
- c) That the police surgeon did not grant any waiver to the requirements of compliance with Rule 2.36;
- d) That the accused was appointed to the San Francisco Police Department after March of 1970;
- e) Because of the above-stated weight, the accused did violate Rule 2.36 which reads in part as follows:

Height	Minimum	Maximum	10% Allowance	Over 40
5' 11"	152	198	218.	201

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, October 4, 1978, and on Wednesday, October 4, 1978, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission found that said charges made and filed against Police Officer Robert Mulry, Support Services Bureau, Property Control Division, as contained in Specification No. 1, violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department were sustained by the evidence presented at the hearing and Officer Robert Mulry was suspended for fifteen (15) calendar days without pay, and said suspension was to commence upon his return to active duty from his disability leave period which was to allow him to have another operation upon his injured knee; that in addition to the above, he was to report to the Police Commission, six (6) months from the day of his return from his disability leave for his knee operation, at a weight which conforms to the requirements of Rule 2.36 of the Rules and Procedures of the San Francisco Police Department; and



WHEREAS, a status report was heard before the Commission on Wednesday, January 2, 1980, as to Officer Robert Mulry's physical condition, and it was found that the officer had not had the proposed operation on his knee, but had been on disability leave for extended periods of time and was not, at this time, in compliance with the Police Commission's order in Resolution No. 441-78; and

WHEREAS, a hearing was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, January 23, 1980, and Wednesday, February 6, 1980, and on Wednesday, February 6, 1980, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that Police Officer Robert Mulry has violated the terms and conditions imposed upon him as contained in Police Commission Resolution No. 441-78 at the hearing of October 4, 1978; therefore be it

RESOLVED, that it is the order of the Police Commission that for said violation, Police Officer Robert Mulry be suspended for thirty (30) calendar days without pay, commencing at 0001 hours, Wednesday, February 15, 1980 and terminating at 2400 hours on Thursday, March 13, 1980; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Robert Murly shall report to the Police Commission on Wednesday, June 11, 1980 at a weight which conforms to the requirements of Rule 2.36 of the Rules and Procedures of the San Francisco Police Department.

Recess taken during the hearing of Police Officer Robert Mulry:

1855 hours to 1927 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



HEARING OF LIEUTENANT RICHARD WILLETT, SUPPORT SERVICES, IDENTIFICATION BUREAU

The hearing of Lieutenant Richard Willett, Support Services, Identification Bureau, was called, it having been set for this date. Lieutenant Richard Willett was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Proposing a Compromise Between a Person Suspected of a Crime and the Victim, with a View of Permitting the Suspect to Escape the Penalties Provided by Law. (Violation of Section 2.89 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Conduct Reflecting Discredit Upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Truthfully Answer Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Conduct Reflecting Discredit Upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Conduct Reflecting Discredit Upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Failure to Truthfully Answer Questions



Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 7.

Conduct Reflecting Discredit Upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 8

Failure to Truthfully Answer Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 9

Proposing a Compromise Between a Person Suspected of a Crime and the Victim, with a View of Permitting the Suspect to Escape the Penalties Provided by Law. (Violation of Section 2.89 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 10

Conduct Reflecting Discredit Upon the Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 11

Failure to Truthfully Answer Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Lieutenant Richard Willett appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.



Mr. Lawrence Wilson, Attorney at Law,  
appeared as the Prosecutor for the Police Department.

Mr. Bley, in his opening remarks, made a motion asking for dismissal of the charges because of the failure of the department to bring said charges against his client in a timely manner. This motion was denied by the Commission.

An opening statement was made by Mr. Lawrence Wilson, Prosecuting Attorney.

The following-named witnesses appeared for the Prosecution, were duly sworn and testified:

Dolores Mallare

Heather McKelzey

Francoise Guerra  
Field Box 902,  
Sonoma, California

Yvonne Sartian  
520-26th Avenue  
San Francisco, California

Sergeant Lawrence Gurnett  
Personnel Bureau

The following-named witness appeared for the Defense, was duly sworn and testified:

Lieutenant Richard Willett  
Support Services  
Identification Bureau

The following Exhibit was entered into evidence by the Prosecution:

Exhibit 1 - Citation No. C 790724

The following Exhibit was entered into evidence by the Defense:

Exhibit A - San Francisco Police Department Form No. 251 (1/77), Notification of Violation of Vehicle Code, dated December 1, 1978.



Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 88-80

DECISION - HEARING OF LIEUTENANT RICHARD WILLETT,  
SUPPORT SERVICES - IDENTIFICATION BUREAU

WHEREAS, on September 21, 1979, Charles R. Gain, Chief of Police, made and served charges against Lieutenant Richard Willett, as follows:

SPECIFICATION NO. 1

- a) That Richard Willett, Star #1750, is now a Lieutenant of Police, and that at all times herein mentioned he was an Inspector of Police, assigned as an investigator in the Hit-and-Run Detail of the Traffic Bureau;
- b) That one Dolores Mallare was the party allegedly responsible for a hit-and-run accident on December 1, 1978;
- c) That on December 12, 1978, Dolores Mallare reported to the Hit-and-Run Detail in response to a notice to appear sent to her by Inspector Willett;
- d) That on that day, Inspector Willett provided to Ms. Mallare the name of the owner of the damaged vehicle, and told her to contact the injured party regarding payment for damages;
- e) That the purpose of encouraging Ms. Mallare to contact the victim, and providing the means for her to do so, was to further a plan of aiding Ms. Mallare to escape the penalties of her conduct which are provided for by law;
- f) That this conduct violated Section 2.89 of the Rules and Procedures of the San Francisco Police Department, which reads:



"Shall not, directly or indirectly be concerned in making any compromises between persons suspected of, or arrested for, crimes and persons who have suffered by their acts, with a view of permitting the persons suspected of crime to escape the penalties provided by law. Shall immediately report to his commanding officer in writing any knowledge, or information received, that a compromise is about to be or has been made in their case."

SPECIFICATION NO. 2

- a) That paragraphs (a), (b) and (c) of Specification No. 1, are incorporated herein by reference as if each were fully set forth;
- b) That on December 13, 1978, Inspector Willett telephoned Ms. Mallare at her home, identified himself as Inspector Willett and offered to "Take care" of the charges against her in exchange for sexual favors;
- c) That this conduct violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 3

- a) That paragraphs (a), (b) and (c) of Specification No. 1, and paragraph (b) of Specification No. 2, are incorporated



herein by reference as if each were fully set forth;

- b) That Inspector Willett was interviewed by Sgt. Lawrence Gurnett in the Internal Affairs Bureau on February 23, 1979, and falsely denied calling Ms. Mallare on December 13, 1979, and falsely denied offering to "take care" of the case in exchange for sexual favors;
- c) This conduct violated Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:

"Shall, when called upon by a superior officer, or by one specifically assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 4

- a) That paragraph (a) of Specification No. 1 is incorporated herein by reference as if it were fully set forth;
- b) That Ms. Francoise A. Guerra was involved in a hit-and-run accident on February 25, 1978, and cited to answer charges related to this accident;
- c) That Ms. Guerra was called to the Hit-and-Run Detail in response to the instructions of Inspector Richard Willett and there answered his questions;
- d) That Ms. Guerra and Inspector Willett walked to her vehicle to inspect the damage done to the vehicle, and, while pointing out that she would probably be convicted in court, he offered to affect the outcome of the case in exchange for sexual favors;



- e) That this conduct violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 5

- a) The allegations of paragraph (a) of Specification No. 1 and paragraphs (a), (b) and (c) of Specification No. 4 are incorporated herein by reference as if each were fully set forth;
- b) That on March 2, 1979, after being interviewed by the San Francisco Police Department Internal Affairs Bureau, concerning Ms. Guerra's allegations, Sgt. Willett called the phone number listed for Ms. Francoise Guerra on the hit-and-run accident report and spoke to Ms. Guerra's former roommate;
- c) That during the course of this conversation, Sgt. Willett threatened to undertake a civil action against Ms. Guerra should she testify against him;
- d) That this conduct, in seeking to intimidate a potential witness against him in an administrative action, violates Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which



reflects discredit upon the department or any member thereof, of that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 6

- a) That paragraph (a) of Specification No. 1, is incorporated herein by reference as if it were fully set forth;
- b) That Inspector Willett was interviewed by representatives of the Internal Affairs Bureau concerning statements he had made to Ms. Guerra regarding the case against her;
- c) That Sgt. Willett denied to the Internal Affairs Bureau making any offer of interference in the case in exchange of sexual favors;
- d) That this statement was untrue and constituted a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:

"Shall, when called upon by a superior officer, or by one specifically assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 7

- a) That paragraph (a) of Specification No. 1, is incorporated herein by reference as if it were fully set forth;



- b) That Ms. Yvonne M. Sartian was the suspect in a hit-and-run case and reported to the Hit-and-Run Detail at the direction of Inspector Willett;
- c) That during the course of his conversation with her about the incident he caused her to believe that the consequence of her act would be a substantial fine;
- d) That he sought to take advantage of her fear by offering to diminish or eliminate her potential criminal liability in exchange for sexual favors;
- e) That this conduct was in violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof, or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 8

- a) That paragraph (a) of Specification No. 1 and paragraphs (a), (b) and (c) are incorporated herein by reference as if each were fully set forth;
- b) That during the course of an Internal Affairs Bureau interview Inspector Willett denied that he had offered to affect the outcome of Ms. Sartian's pending criminal matter in exchange for sexual favors;
- c) That this denial was untruthful and constituted a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:



"Shall, when called upon by a superior officer, or by one specifically assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 9

- a) That paragraph (a) of Specification No. 1 is herein incorporated by reference as if it were fully set forth;
- b) That Ms. Mary L. Thomas was the party allegedly responsible for a hit-and-run accident and responded to the Hit-and-Run Detail in August or September, 1977;
- c) That while proceeding to inspect the vehicle involved in the accident, Inspector Willett impressed upon Ms. Thomas the strong possibility that she may be sentenced to jail if found guilty;
- d) That Inspector Willett offered to drop all of the charges if she would make restitution to the victim's car and would have a sexual encounter with Inspector Willett;
- e) That this conduct, in seeking to effect a compromise of a criminal case, violated Section 2.89 of the Rules and Procedures of the San Francisco Police Department, which states:

"Shall not, directly or indirectly be concerned in making any compromises between persons suspected of, or arrested for, crimes and persons who have suffered by their acts, with a view of permitting the persons suspected of crime to escape the penalties provided by law. Shall immediately report to his commanding officer in writing any knowledge, or information received, that a compromise is about to be or has been made in their case."



SPECIFICATION NO. 10

a) That paragraph (a) of Specification No. 1 and paragraphs (a), (b), and (c) of Specification No. 9, are incorporated herein by reference as if each were fully set forth;

b) That this conduct in offering to have the charges dismissed in exchange for sexual favors, violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department, or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 11

a) That paragraph (a) of Specification No. 1 and paragraphs (a), (b), and (c) are incorporated herein as if each were fully set forth;

b) That during the course of an Internal Affairs Bureau interview, Inspector Willett denied that he had suggested a compromise of the case or offered to have the charges dismissed in exchange for sexual favors;

c) That this conduct is in violation of Section 2.49 pf the Rules and Procedures of the San Francisco Police Department, which states:

"Shall, when called upon by a superior officer, or by one specifically assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All



reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, January 30, 1980, and that on Wednesday, January 30, 1980, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Lieutenant Richard Willett, Support Services, Identification Bureau, as contained in Specification No. 1, violation of Section 2.89, Specification Nos. 2, 4,5, and 7, violations of Section 2.13 and Specification Nos. 3, 6, and 8, violations of Section 2.49 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the said charges made and filed against Lieutenant Richard Willett, Support Services, Identification Bureau, as contained in Specification No. 9, Section 2.89, Specification No. 10, Section 2.13, and Specification No. 11, Section 2.49 of the Rules and Procedures of the San Francisco Police Department are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Lieutenant Richard Willett has violated Specification No. 1, Section 2.89, Specification No. 2, Section 2.13, Specification No. 3, Section 2.49, Specification No. 4, Section 2.13, Specification No. 5, Section 2.13, Specification No. 6, Section 2.49, Specification No. 7, Section 2.13, and Specification No. 8, Section 2.49 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for violation of Specification No. 1, Section 2.89, Lieutenant Richard Willett shall be suspended for a period of ninety (90) calendar days without pay; and be it further

RESOLVED, that it is the order of the Police Commission that for violation of Specification



No. 4, Section 2.13, Lieutenant Richard Willett shall be suspended for a period of ninety (90) calendar days without pay; and be it further

RESOLVED, that said suspensions are to run consecutively commencing upon Lieutenant Willett's return to duty from his current disability status; and be it further

RESOLVED, that it is the order of the Police Commission that the Chief of Police, as appointing officer and in accordance with Section 8.331 of the Charter of the City and County of San Francisco, shall reduce Lieutenant Richard Willett in rank from his limited tenure appointment of Q60 Lieutenant of Police to his permanent Civil Service rank of Q50 Sergeant of Police.

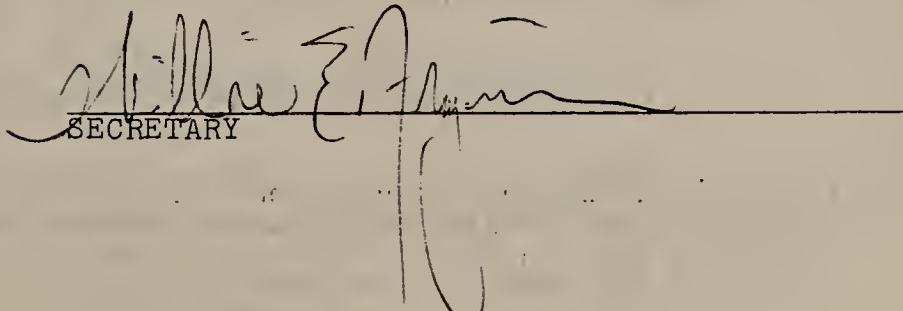
Recesses taken during the hearing of Lieutenant Richard Willett:

2040 hours to 2045 hours  
2218 hours to 2240 hours  
2245 hours to 2250 hours

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

The Commission then adjourned its meeting at 2230 hours.

  
William E. Flynn  
SECRETARY



13 FEBRUARY 1980

REGULAR MEETING

*Minutes*  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 13, 1980 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1050 BATTERY STREET - CROCKER NATIONAL BANK

DOCUMENTS DEPT.

MAY 6 1980

SAN FRANCISCO  
PUBLIC LIBRARY

- a) At 1050 Battery Street, install a 44' green zone, extending from 17' to 61' south of Union Street.

901 COLUMBUS AVENUE - S.F NIGHTCLUBS INC.

- a) At 901 Columbus Avenue, install a 44' white zone, extending from 44' to 88' north of south property line.

636 POTRERO STREET - WESTERN SLOPE SALES

- a) At 636 Potrero Street, revoke existing 34' yellow zone, extending 34' south of the north building line.

- b) Install a 34' green zone, extending 34' south of the north building line.

1416 TAYLOR STREET - KAY CLEANERS

- a) At 1416 Taylor Street, install a 22' green zone, extending from north property line 22' south of same. Paint out 9' of yellow (north end) to make one unmarked parking space.



525 to 545 HAYES STREET - S.F.P.D.

- a) Revoke existing 50' yellow zone, extending from 525 to 545 Hayes Street.

2021 FOLSOM STREET - S.F.P.D.

- a) At 2021 Folsom Street, revoke existing 30' yellow zone, extending 30' north of Enterprise Street.

2091 FOLSOM STREET - S.F.P.D.

- a) At 2091 Folsom Street, revoke existing 15' yellow zone, extending from 15' to 30' north of south building line.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKE

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 138 feet of yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 89-80

STATE FARM INSURANCE COMPANY & MARTINA G. AMIDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the State Farm Insurance Company and Martina G. Amida against the City and County of San Francisco in the sum of \$317.42 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 2, 1979

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 90-80

KEITH D. BISHOP

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Keith D. Bishop against the City and County of San Francisco in the sum of \$112.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 24, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 91-80

STATE FARM INSURANCE COMPANY & MICHAEL FEARON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the State Farm Insurance Company and Michael Fearon against the City and County of San Francisco in the sum of \$1,476.27 as the result of a collision with a police vehicle, be, and the same is hereby approved.

DAte of Accident: October 4, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 92-80

FOOK Z. LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fook Z. Lee against the City and County of San Francisco in the sum of \$65.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 23, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 93-80

CAROLYN LERMAN

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 368-616 in the sum of \$32.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 5, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 94-80

VICKI M. ROSEN

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Action No. 368-551 in the sum of \$32.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 1, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 95-80

GEORGIA ANN LAX

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Georgia Ann Lax against the City and County of San Francisco in the sum of \$5,500.00 in Superior Court Action No. 745-154 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: July 6, 1978

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 96-80

SANDRA G. STEPHENS

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 368-641 in the sum of \$36.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 24, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 97-80

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Police Officer Charles Coates	)\$637.00	(Firearm In-
Personnel & Training	) each	structors
	)	(Course, Eureka,
Police Officer Roger Foge	)	(California, from
Personnel & Training	)	(November 26, 1979
	)	(to December 7,
Police Officer Richard Willett)		(1979, inclusive.
Personnel & Training	)	

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 98-80

AUTHORIZING ATTENDANCE OF COMMANDER RAYMOND J. CANEPA, FIELD OPERATIONS BUREAU, PATROL DIVISION, AT A PATROL OPERATIONS MANAGEMENT COURSE AT POMONA, CALIFORNIA, FROM MARCH 31, 1980 TO APRIL 3, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the



Chief of Police that Commander Raymond J. Canepa, Field Operations Bureau, Patrol Division, be detailed to attend a Patrol Operations Management Course at Pomona, California, from March 31, 1980 to April 3, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Commander Canepa, in a sum not to exceed \$378.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 99-80

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$6,000.00 charging same to Firm No. 355081 2021 133 01 as an advance on the Police Narcotics Fund for the month of February, 1980.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 100-80

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy, in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of February, 1980.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

COMMISSION REPORT - DISCUSSION RE PROPOSED CHARTER REVISION - CONTINUED TWO WEEKS

Commissioner Sanchez: "This item was calendared



last week and unfortunately we had two hearings that we tried to complete last week that were concluded about 11:30 p.m., so we held this matter over. All of the Commissioners had an opportunity to review both the present Charter Revision and the existing Charter pertaining to the responsibilities and overview of the Police Commission. We are quite honored today to have two members of our Charter Commission here this evening. Our ex-Chief of Police Thomas Cahill and Commissioner Agnes Chan. Perhaps, if you would like to make any statements to the Commission pertaining to the proposed revisions and any significance that you feel that you would like to share with us, and then, maybe, we could open it up for Commission discussion."

Mr. Thomas Cahill: "Just to open it up Mr. President, Mr. Frank Fitch made the appointment and he is very anxious to be in on all parts of any discussion taking place. However, a matter arose which required him to be at City Hall in the Office of the Mayor and I think one of your Commissioners is there also, and they will be late but they hope to get here as quickly as possible. As far as the Commission's Report is concerned, as you know, we were elected a year ago last November to revise or draft an entire new Charter and we have held enumerable meetings of the full Charter Commission of 15 members itself, and we have held all kinds of meetings where we invited the elected officials, department heads, various people, organizations who are interested in the revision of the Charter. We eventually came up with the first discussion of a draft, and you have to realize that it's a monumental task on what you are going to present or something to shoot at, and in order to get that, the input, from those who are really concerned and deeply involved in matters that the Charter governs. And so we had a first discussion draft published in the Chronicle on Wednesday, January 30th, and now we are holding meetings throughout the city. We are holding a meeting in each of the Supervisorial Districts. We have held two to this date. One was out in the Richmond District in Supervisor Ed Lawson's territory out there. And I was very disappointed in that we had less than 20 people, I think we had 18 people. It was published in the Chronicle and the Progress. So it is awfully hard for us to get back from the public what they want us to do, and this is why we have asked you, the Police Commission, as we are asking the Fire Commission, and the Chief, and the Chief of the Fire Department, and all others who have to work with the Charter to give us their thoughts having read what the original sections in the old Charter are and what is now being proposed. Unless we have the input from you, we will only have to do the very best we can then go back to the drawing board and come up with a second draft. Go through a whole



series of meetings again and then develop a 3rd and final draft which has to be in the hands of the Clerk of the Board of Supervisors on August 7th of this year. It will then appear on the November Ballot for a vote of the people. So, very briefly, that is where we stand and we are here tonight asking what your critiques are, and what suggestions you have, and what you feel we should have in that Charter, and what you feel we should take out of this first draft as far as you are concerned to help you."

Commissioner Sanchez: "Thank you very much, the Commission does appreciate the great amount of time and energy spent by all of you in preparation of a very difficult charge to the City and County as we try and hold all offices of government more accountable, given a change in economy, and roll, and the way in society per se. Basically, what the line is, is that August 7th, is the final date in which you submit this to the Supervisors correct, and from there it is calendared on the November Ballot. I think there was some initial correspondence with Frank Fitch who attended the last meeting and before that. I would hope that we would keep this on our calendar for at least one or two more times because of the fact that it does deal with substantive issues as the Charter addresses the role and function of the Police Commission per se. I know some of my colleagues have had a chance to review it thoroughly and some I know are going to be drafting a written response to your office. We, ourselves, are going to be talking about it tonight and at other meetings. I think two more meetings. We will calendar it for Commission Review, and at the end we will forward to your Commission a full finding of our total review and recommendations. But this does give us an opportunity to share with you this evening, for awhile maybe, some of the initial thoughts, the concerns of my colleagues pertaining to the Charter Revision, and the role of the Police Commission. Is there any Commissioner who would like to make any initial comments and statements to this?"

I believe Commissioner Murphy has a few questions."

Commissioner Murphy: "Yes, the first thing that hit me, and you may have a very wise explanation, but you started out saying the Police Commission shall consist of 5 members appointed by, and serving at the pleasure of the Mayor for four year terms concurrently, with that of the Mayor, one of whom, and you have left out, 'one of whom shall be a woman,' was there any discussion on that?"

Agnes Chan: "Yes there was. We feel there should be maybe more than one woman, we would not like to limit anything to just one woman. We would like to leave it open so there could be more."



Commissioner Murphy: "Someone had pointed out that it could be all women, it doesn't say there must be a man."

Agnes Chan: "We feel that in this age and time the Mayor should be able to have a true balance."

Commissioner Murphy: "Yes, but you don't provide for the fact that the Mayor might decide, it wouldn't be, perhaps, this present Mayor, but, a male Mayor might sometime decide that he did not want any women on the Board. Was that discussed at all?"

Thomas Cahill: "I can assure you Commissioner, that if there are all ladies on the Commission the men will demonstrate. In the discussions that we had, as I remember them, that with a five person Commission there would not be less than two females."

Commissioner Toler: "It doesn't state that in this particular draft."

Thomas Cahill: "No, that has been discussed on a number of occasions."

Agnes Chan: "I think that a few of the Commissioners would like to have it stated that not more than the majority of one sex, but at the end we felt that we might be limiting the appointments."

Commissioner Murphy: "I think that it is so new that it does have some merit in being sure that you have a representation for both sexes, let's put it that way, not that it would be a woman, or two women, or three, or whatever, I think the major thing is to say there will be representations from both sexes.

The second question I have here is, 'acting as a review body to investigate and decide on disputed actions of the Police Department and any of its members. The Commission shall have the power to require witnesses to appear, administer an oath, take testimony, and require the production of evidence.' Do you want to discuss that, is that the same as subpoena powers?"

Thomas Cahill: "That was discussed at length as to whether we should spell out subpoena powers and as you know we have two attorneys on the Charter Commission and they got into the legal aspect of it and they thought that putting in the wording 'Power of Inquiry,' would cover whatever necessary should it be by subpoena. Now, again we are asking you, do you feel that that it is not sufficiently clear and do you want subpoena power spelled out?



I also want to say at this point that this first discussion draft does not contain legal language, that will finally be in the final draft, because we have not brought in outside attorneys."

Commissioner Nelder: "Well, I would like to comment on that. The word subpoena, or the usage of the subpoena by the Department, is not included in this draft but it is included in the Board of Supervisors and I think the Coroner, and I know it is included in your recommendation for the Board of Supervisors, and I think that Mr. Wilson should address himself to this when some written communication is made to the Charter Commission that it is very difficult to make an inquiry if you don't have the power of subpoena and, of course, the power of subpoena by civilian agencies has to go through a court anyhow, so there is some protection. We did utilize it extensively at the Board of Supervisors in '77 and '76, so I think it is almost mandatory. You can hardly make an inquiry if you don't have the authority to use a subpoena."

Thomas Cahill: "I, personally, see no problem there: So we will bring both these items to the full committee."

Further discussion was held on the Charter Revision with the Police Commission registering concerns about other matters, such as the Police Commission exercising oversight over the Police Department, as opposed to Managing and Policy setting, trials as opposed to administrative hearings and nomination of the Chief of Police as opposed to appointing the Chief of Police.

The matter was then continued for two weeks.

REQUEST OF POLICE OFFICER THOMAS GRIFFIN, MISSION STATION, FOR PERMISSION TO ACCEPT AN AWARD FROM THE HIBERNIA BANK IN THE SUM OF \$200.00

Commissioner Nelder then stated that Officer Griffin did an outstanding piece of work on that day down at Broemmel's Pharmacy when he captured three armed holdup men, and, consistent with the San Francisco Police Department's Rules and Procedures, the Hibernia Bank has offered a \$200.00 emolument to him for his tremendous work at that particular time. He said everyone knows what happened as to the actions Officer Griffin took.

The Commissioner continued by saying that officer Griffin was ailing, that the officer had a cast on his arm at the time, and that if there were no other comments then he would move for approval.



Commissioner Murphy stated that she just wanted to add her appreciation, that she goes there quite frequently, and that this could have happened at a time when she was there.

Commissioner Sanchez stated that the Commission would also like to thank Mr. George Bianchi, Executive-Vice-President of Hibernia for his bank's Honorarium to Officer Griffin.

A representative of the bank then presented the check to Officer Griffin.

PERMISSION TO ACCEPT A REWARD - APPROVED

The request of Police Officer Thomas Griffin, Mission Station, for permission to accept a reward of \$200.00 from the Hibernia Bank for the successful apprehension of three persons who held up the Broemmel's Pharmacy at 450 Sutter Street, on Tuesday, January 15, 1980, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief James Ryan presented a report in regards to the Police Department's response time to calls for service. He said the overall response time to priority (Type A) calls amounts to, city-wide average, almost 9 minutes. He said the elimination of officers responding to burglar alarms would be a decisive factor in reducing response time for all Type A calls. He said it may be, at this time, that to eliminate such calls, Police Agencies will have to endorse certain types of alarms which have proven to be more effective for the purposes of which they were installed.

Commissioner Nelder stated that it appeared to him that there isn't enough of equipment rolling in the street to get to the scene of a given crime. He said he wondered if there was a possibility of being somewhat innovative by increasing the Solo Bikes, the number of bikes having been reduced by 2/3rds of their original number, if, he stated, the Department could use those primarily in the crime fight and secondarily in the traffic fight, i.e., solo bikes being able to respond to emergency crime scenes more rapidly than cars. If it is an emergency, he said, then they could take immediate



action, and if not, they could go back into service and the District Station could eventually pick up the incident report.

He said maybe what should be done is to probe the possibilities of getting some outside monies to acquire the necessary equipment.

Commissioner Sanchez then mentioned a study he has read regarding a Police Department's Communications Center and response time to calls for service. This, he said was done with two groups, one with civilian dispatchers and one with police officers as dispatchers. He said the number of calls necessitating a response as opposed to those received and adjudicated on the spot by the experienced police officers was astonishing. He then requested that at some time in the near future maybe some research could be done in this regard with a report to the Commission at one of its future meetings. He also called for a review and later discussion on the use of as an example the response time for burglary calls using canines. He said if there is adequate justification of data to show as far as cost effectiveness and validity, maybe, consideration should be given to re-establishing the unit and assigning it either to the district stations or to the core areas where there are many calls for response to burglar alarms. He said if this proves to be a better way to deal with the problem, perhaps the Department would have recommendations in a few weeks for the Commission to review.

Deputy Chief Shannon then gave the Commission an overview of the major problems confronting the Department in developing the budget in time for presentation to the Mayor's Office. He said one of the major problems was to work out a program with all the promotions, and hiring, and phase it in with the regular budget in order to determine how much money would be left for mandatory expenses, civilian and anything else the department might want to undertake. He said the Mayor's Office gave the department 4 base line figures for presentation. It ranged from a minimum of 88,000,000 to a maximum of 95,450,000, which is approximately 97% of the Department's current budget. He said even if the Mayor's Office authorized the maximum amount the Department would still have to cut 25.3% of its presently permanent civilian positions. He said next week he would have a full report for the Commission.

RESOLUTION NO. 101-80

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE



AMOUNT OF \$12,000 TO TRANSFER THE REQUIRED ADDITIONAL FUNDS FOR INTRA-STATE PRISONER PICK-UP

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$12,000 to transfer funds for intra-state prisoner pick-up.

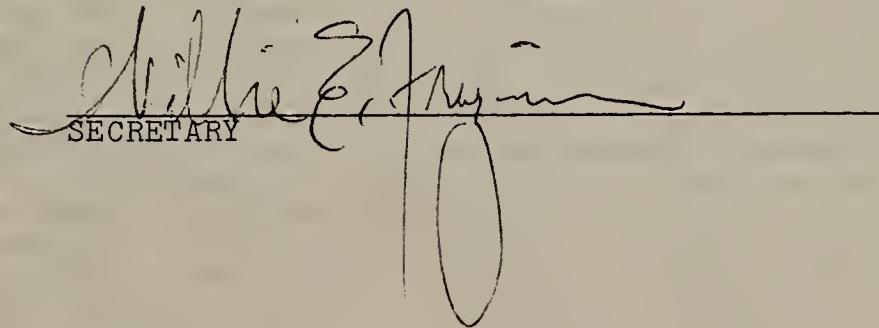
AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez then stated, "the Commission would like to extend to the new Commissioners the star of the San Francisco Police Commission. Commissioner Nelder, our former Chief of Police, has submitted that star, he said today, to the San Francisco Public Library's Historical Section. This is a star from the Police Commission for you and Commissioner Daly."

Commissioner Nelder: "When I left as Chief of Police, I donated my uniform and everything to the library and I think I will go out and ask for the star back."

Commissioner Sanchez: "So on behalf of the Police Commission I would like to give these stars to you and congratulate you for joining us."

The Commission then adjourned its meeting at 1845 hours.

  
\_\_\_\_\_  
SECRETARY



20 FEBRUARY 1980

REGULAR MEETING

*Minutes*  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 20, 1980 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

*MAY 6 1980*

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PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Sanchez: "This item is scheduled as Presentation of Meritorious Awards and Certificates, and let me just briefly go over what the process and procedure pertaining to the certification of candidates by our department. First of all Vice President Murphy is not able to attend tonight, but she was the Chairperson of the Meritorious Awards Committee for the men and women who went through this meeting.

On the Meritorious Awards Committee we have all of our Captains, Deputy Chiefs and Commanders, who sit as a peer review and each candidate has a brief fact sheet pertaining to his or her awards. The candidate comes into this meeting room here and is questioned, usually by his superiors, namely the Deputy Chiefs, Commanders and Captains pertaining to proper procedure, seriousness of incidents, life stress situation, etcetera. It's really a comprehensive, objective viewpoint on the heroism of our men and women within the department. After our candidates are heard, it's almost like an inquisition in a way. They leave and go in the other room and everyone on that committee has one vote, and they vote secretly, and the final count determines whether the candidate receives Gold, which is the highest, Silver, which is an outstanding award, or Bronze, which is an excellent award for the certification. And this is the way the process is done. It is not something that just happens spontaneously. As I said, there are various reviews way before the actual committee meets itself. The Captains review it, the Lieutenants review it, and it has in-house review. It is submitted to an initial Screening Committee and then roughly two



to four months later the actual Committee Review and Inquisition, and then a vote upon itself. At two Commission meetings ago Commissioner Murphy who chaired this meeting did, in essence, recommend these awards to the full Commission, and the Commission voted unanimously to accept the recommendations of Commissioner Murphy, the Screening Committee and Meritorious Awards Committees. On behalf of the Commission, and on behalf of the Department, we would like to thank the men and women in the Department who have been nominated for the Meritorious Awards this evening. More importantly, not more importantly, but just as important, we would like to thank the parents and the relatives, the children and the many, many friends of our men and women in the department who are exposed to life-threatening situations during the regular rotation on call to duty. We hear so much usually about other departments, nationally, about violations of rules and regulations, numbers of shootings, etcetera, but in San Francisco we are blessed with young men and women who are committed to equality in law enforcement and the highest standards in procedures. And the testimony, hopefully given this evening, although it is brief, it is one that comes as the basis of support for you men and women who are on the line of duty.

This evening we have one of the highest ever given. We have 4 Gold Medals, which is the highest in any hearing, roughly, I think, 14 Silvers and 9 Bronze and Meritorious Conduct Awards. So. on behalf of the San Francisco Police Commission, we wish to congratulate you men and women in the department and your families for your outstanding work above and beyond the call of duty and we congratulate all of you."

Commissioner Toler: "I can't add very much to President Sanchez' remarks other than to say that because of you San Francisco is a much safer place to live and I am sure that the citizens of this city do thank you for your efforts in the way in which you have carried out your duties as police officers and we congratulate you again."

Commissioner Nelder: "I feel the same way, I think President Sanchez covered just about everything, however, I do think that this is what makes the police officers' position a little bit different from everyone else. I think that at the time that these awards were won there were some very trying moments, and many times the officers lives were at stake, and I think for this the people of San Francisco should be very grateful. I am delighted to look out and see some of my old friends. I see some parents like Jack Farnham who was here some years ago when he obtained an award, and I see Mrs. Hampton who keeps looking younger and I keep looking older and I don't know just how that works Mrs. Hampton but I have to talk to you before you



leave. It might give me some ideas, but again I would like to take this opportunity to thank all the men and women of the San Francisco Police Department, particularly those who are here this evening to receive these awards."

Commissioner Daly: "I think that my fellow Commissioners have said it very well. I come from a community that sometimes quite loudly, has complaints and issues and of late, since I got on the Commission, I have had many calls of people who wish to commend the work that the San Francisco Police Department is doing. So it is an honor for me, this being my first opportunity to honor you and I thank all of you."

The medals and certificates were then presented by the Commission.

PRESENTATION OF THE MEDAL OF VALOR AWARDS AND CERTIFICATES

The following-named members of the Police Department were presented Medals of Valor Awards and Certificates at the Commission Meeting by Commissioner Toler:

Inspector Philip S. Roebling.....Gold Medal of Valor  
Police Officer James E. Drago.....Gold Medal of Valor  
Police Officer Daniel A. Hampton...Gold Medal of Valor  
Police Officer Randolph M.  
Radosevich.....Gold Medal of Valor  
Inspector Thomas A. Crawford.....Silver Medal of Valor  
Inspector Edward A. Tank.....Silver Medal of Valor  
Sergeant Raymond R. Portue.....Silver Medal of Valor  
Police Officer Aaron Barnes.....Silver Medal of Valor  
Police Officer Carl L. Decker.....Silver Medal of Valor  
Police Officer Frank J. Harrington..Silver Medal of Valor  
Police Officer Charles J. Keohane..Silver Medal of Valor  
Police Officer Frank M. McDonagh...Silver Medal of Valor  
Police Officer William J. McGee....Silver Medal of Valor  
and Silver Star



Police Officer Daniell F.  
Dougherty....Bronze Medal of Valor

Police Officer John M.  
Farnham....Bronze Medal of Valor

Police Officer David  
Roccaforte...Bronze Star

Police Officer Mark C. Gamble.Bronze Medal of Valor

Police Officer Ivan W.  
Jackson....Bronze Medal of Valor

Police Officer William J.  
Kelly....Bronze Star

Police Officer Douglass Kidd  
III.....Bronze Medal of Valor

Police Officer Timothy J.  
McDonald...Bronze Medal of Valor

Police Officer Joseph A.  
Zamagni..Meritorious Conduct  
Award

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

198-200 CORBETT - D. P. W.

- a) At 198-200 Corbett, install a 45' red zone, extending from 7' east of west property line #198 to 38' west of west property line #198 Corbett.

3199-22nd STREET - CAREERS BOUND

- a) At 3199-22nd Street, install a 44' blue zone, extending from 10' to 54' east of west property line.
- b) Remove meters 22nd Street #3149 and 3147.

1484 CHURCH STREET - A & B ELECTRONICS

- a) At 1484 Church Street, install a 22' green zone, extending from 2' to 24' north of south property line.



101 TOWNSEND STREET - DATA COMPOSITION

- a) At 101 Townsend Street, revoke existing 16' yellow zone, extending from 20' to 36' west of Second Street.
- b) Replace with 16' red zone, extending from 20' to 36' west of Second Street.

1525 SILVER AVENUE - HEALTH CENTER #3

- a) At 1525 Silver Avenue, revoke existing 22' white zone, extending from 64' to 86' west of east property line.
- b) Replace with 22' blue zone, extending from 64' to 86' west of east property line.

891 BARNEVELD - HEALTH CENTER #3

- a) At 891 Barneveld, revoke existing 22' red zone, extending from 21' to 43' south of north property line.

2350 GEARY BOULEVARD - KAISER HOSPITAL

- a) At 2350 Geary Boulevard, install a 44' blue zone, extending from 15' west to 29' east of west building line.
- b) Revoke existing 14' white zone, extending from 15' west to 29' east of west building line.

2350 GEARY BOULEVARD - KAISER HOSPITAL

- a) At 2350 Geary Boulevard, revoke existing 30' yellow zone, extending from 15' west to 15' east of west building line.

980 HOWARD STREET - GOODWILL INDUSTRY

- a) At 980 Howard Street, revoke existing 33' yellow zone, extending from east building line 33' west of same.



- b) At 980 Howard Street, install a 55' blue zone, extending from east building line 55' east of same.
- c) Remove meter HOW976.

104 MASON STREET - S.F.P.D.

- a) At 104 Mason Street, revoke existing 36' yellow zone, extending from 10' to 46' north of Eddy Street.

AYES: Commissioners Daly, Nelder, Toler, Sanchez

NOT VOTING: Commissioner Murphy

REVOKE

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 173 feet of red, white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Sanchez

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 102-80

J. DAVID PLACEK

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 368-527 in the sum of \$30.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1979

AYES: Commissioners Daly, Nelder, Toler, Sanchez

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 103-80

JOSE R. PARTIDA

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 368-433 in the sum of \$171.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 7, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

NOT VOTING: Commissioner Murphy

COMMISSION REPORT

Commissioner Sanchez then stated that one item that was discussed quite a bit last time was the Charter Revision and that it will be placed on the Calendar again next week.

The matter of a Public Hearing being scheduled on the San Francisco Police Department's Budget for February 27, 1980 was briefly discussed and set to be heard at that time.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy then called upon Deputy Chief James Shannon and Sergeant Harlan Wilson to give an update of the San Francisco Police Department's Budget and to speak of the critical position the Police Department is facing even with the Mayor's best case budget proposal.

Sergeant Wilson then presented a thorough, detailed account of the budget. The critical factor was the possibility of a massive layoff of civilian personnel. This ranged from a high of 100% to a low of, and in the best possible case, 32.2%.

Commissioner Sanchez then congratulated the Staff for doing an outstanding job in making this presentation. He then stated that because of the



uniqueness of the San Francisco Police Department Programs they could probably be articulated in such a fashion, particularly in view of proposed budget cuts. He said, basically, the concept is there along with the mechanism so that the Department should maximize its energies and start bringing in some Foundation dollars, Business dollars, NIH, or whatever dollars to provide these services for the city.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION APPROVE AN AGREEMENT FOR PRISONER TRANSPORTATION ENTERED INTO BY THE CITY AND COUNTY OF SAN FRANCISCO WITH WILLIAM L. MAIN, INC., DOING BUSINESS AS SECURITY TRANSPORT - CONTINUED OFF CALENDAR.

Mr. Douglas Thompson, one of the co-owners, gave an overview of services his agency would provide the San Francisco Police Department if this contract is approved.

However, the Commission had many questions of a legal nature which needed to be answered by the City Attorney.

The matter was then continued off calendar until at such time a response in answer to these questions is received from the City Attorney's Office.

RESOLUTION NO. 104-80

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT- AMENDED

RESOLVED, that effective at 0800 hours, February 21, 1980, the following amendment and addition is hereby made in the Rules and Procedures of the San Francisco Police Department:

5.129.2 (Amended) All Civil Service Captains of Police, provided that such Captains when granted a leave of absence to accept appointive positions within the department shall remain members of the Committee. In addition, until December 31, 1981, non-civil service Captains shall also be members of the Medal of Valor Awards Committee.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 105-80

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$24,000.00 TO FUND THE INSTALLATION OF THE COLOR PHOTOGRAPHIC EQUIPMENT IN THE PHOTO LAB.

RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation in the amount of \$24,000.00 to fund the installation of the color photographic equipment in the Photo Lab.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 106-80

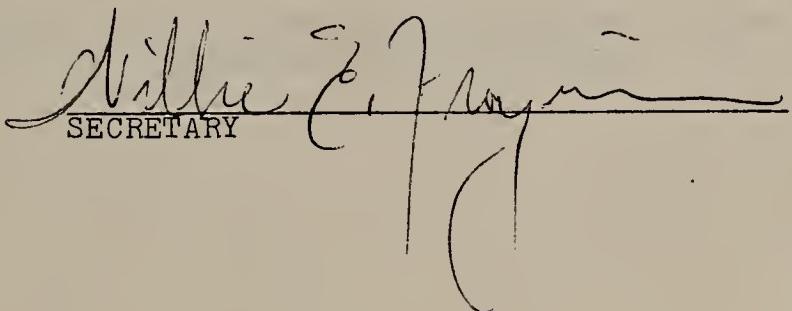
REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$65,777.00 TO TRANSFER FUNDS FOR CIVILIAN OVERTIME COSTS.

RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation in the amount of \$65,777.00 to transfer funds from the civilian salary account into the civilian overtime account.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

NOT VOTING: Commissioner Murphy

The Commission then adjourned its meeting at 1903 hours.

  
Willie E. Flynn  
SECRETARY



27 FEBRUARY 1980

REGULAR MEETING

~~Minutes~~  
The Police Commission of the City  
and County of San Francisco met in their  
chambers, Room 551, Hall of Justice, 850  
Bryant Street, on Wednesday, February 27,  
1980 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

May 6 1980

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PUBLIC LIBRARY

RECOMMENDATION OF THE TRAFFIC BUREAU

301-345 JACKSON STREET - U.S. IMMIGRATION-U.S.  
CUSTOM HOUSE.

Revoke 103' white zone from 10' to 113'  
west of Battery Street.

Mr. George Brokaw appeared and requested approval  
of the requested passenger loading zone.

After discussion on the subject, Commissioner  
Nelder stated that the fair thing to do is to  
put it over for a couple of weeks so that an  
actual count can be taken of the vehicles and  
persons who actually use the white zone.

Commissioner Murphy stated that since Supervisor  
John Molinari was behind putting in meters at  
this location, she was requesting further informa-  
tion as to why he wanted the installation of meters  
and opposes the passenger loading zone.

Commissioner Sanchez also asked for a review of  
the need for handicap parking in this area.

The matter was then continued until at such time  
this information could be obtained.



RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2201 GRANT AVENUE - BLUE SHIELD

- a) At 2201 Grant Avenue, install an 18' yellow zone, extending present zone from south building line 18' north of same.

450 ARGUELLO - ROOSEVELT JR. HIGH SCHOOL

- a) At 450 Arguello, install a 36' white zone, extending from 84' to 120' south of north building line.
- b) Place sign "8 A.M./3:30 P.M. on School Days."

1401 POLK STREET - SUCKKER LIQUORS

- a) At 1401 Polk Street, revoke existing 22' Special Truck Loading Zone from south property line 22' north of same.
- b) At 1401 Polk Street, replace with 22' yellow zone.
- c) Remove meter POL 1401.

#2 NORTHPOINT - BLUE SHIELD

- a) At #2 Northpoint, revoke existing 42' white zone, extending from 90' to 132' east of Grant Avenue.

1051 FOLSOM STREET - BESSIE CARMICHAEL SCHOOL

- a) At 1051 Folsom Street, revoke existing 185' white zone, extending from 5' to 190' east of Sherman.
- b) Department of Public Works to take down school bus zone signs.



616 BROADWAY - S.F.P.D.

- a) At 616 Broadway, revoke existing 43' Special Truck Loading Zone, extending from 4' to 47' west of east building line from 7 A.M./3P.M.

622 BROADWAY - S.F.P.D.

- a) At 622 Broadway, revoke existing 22' white zone, extending from 3' west of to 19' east of west building line.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler

REVOKE

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 314 feet of white and yellow zone, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Deputy Chief Jeremiah P. Taylor, Investigations, for service, effective January 16, 1980.
- b) Deputy Chief Mario Amoroso, Support Services, for service, effective February 14, 1980.



The communications were ordered filed.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 109-80

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the San Francisco Community College District against the City and County of San Francisco in the sum of \$500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 20, 1979

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 110-80

BRUCE ALLEN KAPLAN AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce Allen Kaplan and his attorney against the City and County of San Francisco in the sum of \$500.00 in Superior Court Action No. 232-345 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 21, 1978

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



RESOLUTION NO. 111-80

ROBERT PELLEY AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Pelley and his attorney against the City and County of San Francisco in the sum of \$1,000.00 in Superior Court Action No. 689-638 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 27, 1975

AYES: Commissioners Dlay, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 112-80

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



RESOLUTION NO. 113-80

AUTHORIZING ATTENDANCE OF LIEUTENANT DANIEL J. MUPRHY, INTELLIGENCE UNIT, AT A SYMPOSIUM ON MANAGEMENT OF COUNTER TERRORISM RESOURCES AT THE FBI NATIONAL ACADEMY, QUANTICO, VIRGINIA, FROM MARCH 24, 1980 TO MARCH 28, 1980, INCLUSIVE.

RESOLVED, that that the recommendation of the Chief of Police that Lieutenant Daniel J. Murphy, Intelligence Unit, be detailed to attend a Symposium on Management of Counter Terrorism Resources at the FBI National Academy, Quantico, Virginia, from March 24, 1980 to March 28, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expense incurred by Lieutenant Daniel J. Murphy, Intelligence Unit, will be defrayed by the Federal Bureau of Investigation.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler

COMMISSION REPORT - DISCUSSION RE PROPOSED CHARTER REVISION - (CONTINUED FROM THE MEETING OF FEBRUARY 13, 1980) - CONTINUED ONE WEEK

Commissioner Sanchez stated that this item was scheduled for this evening and will be entertained one more time before drafting of the Commissioners collective response to the Charter Commission.

Mr. Lawrence Wilson, Legal Officer, having prepared a response to some of the items in the Charter Revision, gave the Commissioners an overview of the highlights of the Legal Office's interpretation and recommendations therefor.

Commissioner Murphy broughtout the fact that certain language in the Charter regarding the Chief's authority to issue certain permits was one of her main concerns and felt that it should not be in the Charter.

Commissioner Daly stated that there are a lot of problems with the current language and that it is going to be a major issue between the Board of Permit



Appeals, other permit issuing agencies and the Police Department.

Commissioner Nelder pointed out that the Chief gets his basic authority from the Charter and that is what this section does is give him that basic authority. He said the Chief never really refers to this section because once he issues a permit then this section gives him the authority to call it back, if it is allegedly being operated illegally, and conduct an official inquiry into it.

Commissioner Sanchez, after further discussion, thanked Mr. Wilson and stated that maybe in the next draft the Department might address the issue of the Harbor, Airport, Hospital, Muni, Housing Authority, Police and School Safety Patrol Guards. He said if the Department is going to have some uniform training, at whatever point, the Charter is the place to at least elaborate on the differential manpower utilization in law enforcement or will there be more confusion along these lines as to further attempts at uniformity. He said this may be a unique opportunity to address the problem and then spell it out in the Charter.

The matter was then continued for one week.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy pointed out to the Commissioners that under tab 4 they would find a report of Sick and Disability Leave for members of the department for a two week period. He said that this report would be included in the Commissioner's binders every other week and give an accurate account as to the Sick and Disability Leave of members of the department.

Commissioner Murphy stated that in addition to this, she would like to have what the immediate past, or accumulated Sick Leave was. She suggested something on the order of a comparison over a three month period of time.

Deputy Chief Shannon then gave the Commissioners an update as to the Department's on-going training procedures. He said starting the fiscal year 81/82, or thereabouts in August of '81, the department should just about have reached its goal of 1971 members or full authorized strength. He said the Academy sometimes contains as many as 200 students and it will be operating in that capacity for another two years.



Commissioner Nelder then stated that although this had nothing to do with training and was of different subject matter, he was interested in pursuing having a Captain from this department being once again placed in charge of the Airport Police.

After discussion on the subject, the Commissioner moved, and it was seconded by Commissioner Murphy, to send a letter to the Airport Commission and ask for their comments in this regard.

Commissioner Sanchez then stated that he would like for discussion under the Chief's Report in the next few weeks, the subject of abandoned cars. He said he had been getting more calls and have seen more abandoned cars primarily on the Hill in the Potrero, around Garfield Park and Bernal Heights. He said he was hoping that the Commission could have a full report about what the department was doing in efforts to clear these areas where there is extraordinary congestion.

He said another question he would like to raise is what is the San Francisco Police Department's commitments to safety in the schools. He asked the Chief to report back to the Commission as to manpower utilization, especially in some of the areas where department personnel have been encouraged to drop by during 4th and 5th periods for purposes of showing visibility and support to the schools.

The Chief stated that his position is that if the School Department want uniformed police officers in the schools he has requested the School Board to pay for them, \$18,000.00 per month for 10 police officers to go into the schools. He said he would resist placing police officers into the schools until at such time the department can place a significant number of police officers on the street.

It was mentioned at this time that Mr. Maher, from the Board of Education, wanted to address the Commission on this subject, and it was decided to have him appear at the meeting of March 19th at which time Chief Murphy would have a report ready as to the feasibility of placing, or not placing, uniformed officers in the schools.

#### RECOMMENDATION OF THE AWARDS COMMITTEE

Commissioner Nelder: "The Awards Committee met on Friday, February 22nd, and I represented the Commission and we heard many cases and finally we issued 2 Gold, 11 Silver, and 15 Bronze Medals of Valor. We



also issued 4 Meritorious Conduct Awards and I want to say that these were all cases which were professionally administered by the officers and it was a compliment for the San Francisco Police Department. There was one outstanding factor in all of these cases, and I have to point it out that there was a tremendous restraint shown on the part of the officers when it came to shooting and I think that the Chief, and his Staff, and the members of the department should be complimented for that, and I move to approve these awards."

March 26th, 1980 was then set for members to receive their Medals and/or Certificates from the Police Commission.

RESOLUTION NO. 114-80

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, Bronze Medal, and Meritorious Conduct Award, under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, February 22, 1980:

Sergeant James L. Baca.....Gold Medal of Valor  
Police Officer Kenneth W. Katz.....Gold Medal of Valor  
Sergeant Thomas A. Burns.....Silver Medal of Valor  
Sergeant James F. Martinez....Silver Medal of Valor  
Assistant Inspector Stephen J. Gudelj..Silver Medal of Valor  
Police Officer Ronald J. Artale...Silver Medal of Valor  
Police Officer Mario DiLorenzo....Silver Medal of Valor  
Police Officer Philip J. Dito.Silver Medal of Valor  
Police Officer Thomas P. Donohoe.....Silver Medal of Valor  
Police Officer John M. Farnham.....Silver Medal of Valor



Police Officer Thomas J.  
Griffin...Silver Medal of Valor

Police Officer William J.  
Kelly.....Silver Medal of Valor

Police Officer Johnny  
Velasquez...Silver Medal of Valor

Sergeant Alan L. Perini.....Bronze Medal of Valor

Inspector Edward J. Dennis....Bronze Medal of Valor

Inspector Edwin M. Kenney.....Bronze Medal of Valor

Inspector Richard E. Leon.....Bronze Medal of Valor

Police Officer Allan J.  
Bernardi.....Bronze Medal of Valor

Police Officer Michael T.  
Dempsey.....Bronze Medal of Valor

Police Officer James E. Drago.Bronze Medal of Valor

Police Officer Luis A. Duran..Bronze Medal of Valor

Police Officer Michael A.  
Geraldi.....Bronze Medal of Valor

Police Officer Paul E.  
Guinasso.....Bronze Medal of Valor

Police Officer Francis J.  
Harrington.....Bronze Medal of Valor

Police Officer Kippi K.  
Locati.....Bronze Medal of Valor

Police Officer Mark S. Porto..Bronze Medal of Valor

Police Officer Eugene C. Reed.Bronze Medal of Valor

Police Officer Robert H.  
Rogers.....Bronze Medal of Valor

Police Officer George S.  
Stasko....Bronze Medal of Valor

Police Officer Gregory A.  
Beatty.....Meritorious Conduct Award

Police Officer James E.  
Ludlow....Meritorious Conduct Award

Police Officer James K. Simon.Meritorious Conduct Award

Police Officer Lawrence S.  
Novak...Meritorious Conduct Award

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



RESOLUTION NO. 115-80

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, February 27, 1980; and

WHEREAS, Chief of Police Cornelius P. Murphy has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405 (a) (4) of the Charter of the City and county of San Francisco; therefore be it

RESOLVED, that Sergeant James L. Baca, and Police Officer Kenneth W. Katz, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeants Thomas A. Burns and James F. Martinez, Assistant Inspector Stephen J. Gudelj, Police Officers Ronald J. Artale, Mario DiLorenzo, Philip J. Dito, Thomas P. Donohoe, John M. Farnham, Thomas J. Griffin, William J. Kelly, and Johnny Velasquez, be and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Alan L. Perini, Inspectors Edward J. Dennis, Edwin M. Kenney, and Richard E. Leon, Police Officers Allan J. Bernardi, Michael T. Dempsey, James E. Drago, Luis A. Duran, Michael A. Geraldi, Paul E. Guinasso, Francis J. Harrington, Kippi K. Locati, Mark S. Porto, Eugene C. Reed, Robert H. Rogers, and George S. Stasko, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Gregory A. Beatty, James E. Ludlow, James K. Simon and Lawrence S. Novak, be, and they are hereby awarded Meritorious Conduct Awards, and granted a reward of \$50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler



STATUS REPORT ON POLICE OFFICER TEDDY QUERUBIN,  
PARK POLICE STATION

Officer Teddy Querubin called the Commission Office and stated that because of his, and his family's illness, he was requesting a one week continuance.

The matter was moved by Commissioner Nelder, and seconded by Commissioner Murphy. It was then unanimously approved.

RESOLUTION NO. 108-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER  
TEDDY QUERUBIN, PARK POLICE STATION - (CONTINUED  
FOR ONE (1) WEEK

WHEREAS, the status report in the matter of Police Officer Teddy Querubin, Park Police Station, was called; and

WHEREAS, Officer Teddy Querubin telephoned the Police Commission Office and stated that because he, and his family, were ill with the flu, he was requesting a one week's extension for his mandatory appearance before the Police Commission in accordance with Police Commission Resolution No. 701-79; and

WHEREAS, Mr. Robert Barry, President, San Francisco Police Officers' Association, representing Officer Querubin, telephoned Mr. Lawrence Wilson, Legal Office, and stated that Officer Querubin was ill with the flu and requested, on behalf of Officer Querubin, a one week's continuance; therefore be it

RESOLVED, that the Police Commission having been informed as to Officer Querubin's illness, does hereby grant him a one week continuance for his mandatory appearance before the Commission in accordance with Police Commission Resolution No. 701-79, and he shall now appear on Wednesday, March 5, 1980, at 1700 hours, in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



PUBLIC HEARING ON SAN FRANCISCO POLICE DEPARTMENT  
BUDGET FOR FISCAL YEAR 1980-81

Commissioner Sanchez stated that the Staff presentation to the Commission on the Budget at the last meeting was outstanding and that Commissioner Murphy's suggestion to Staff in using the particular markup for purposes of illustration was outstanding thereby enabling the Commission to look more closely at options and funding levels.

Sergeant Harlan Wilson then gave an overview of the current budget which he stated at this time is as close as the Staff can approximate it to be.

After Sergeant Wilson's presentation Commissioner Sanchez asked for further comments from the Commission. Receiving none he then asked if there were anyone present in the audience who would like to address the Commission on the matters of the budget as presented at this time.

Receiving no response, the Commissioner again thanked the Staff for its presentation and called for a motion to adopt the budget as presented.

The motion for adoption was made by Commissioner Murphy and seconded by Commissioner Nelder. It was then unanimously approved.

RESOLUTION NO. 116-80

OPERATING BUDGET FOR FISCAL YEAR 1980-81 - SAN  
FRANCISCO POLICE DEPARTMENT

RESOLVED, that the Police Commission hereby approves the operating budget of the San Francisco Police Department for the fiscal year 1980-81 as submitted by Chief of Police Cornelius P. Murphy.

Base Line Increment	\$91,698,779.00
Second Increment	\$92,855,292.00
Third Increment	\$94,787,091.00
Fourth Increment	\$96,710,672.00

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR AND ACCEPT FUNDS FROM THE STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY, TO BE USED FOR A PROJECT KNOWN AS "VEHICLE ACCIDENT REDUCTION THROUGH ENFORCEMENT AND EDUCATION."

---

Commander Gerald D'Arcy, Traffic Bureau, informed the Commission as to the particulars and purposes of the proposed grant. He said the goal of the department is to reduce this with the aid of this grant by implementing the San Francisco Police Department's Enforcement Policy.

After further discussion, Commissioner Nelder stated that the causes of accidents in San Francisco are basically speed and activities of pedestrians.

He said these violations are paramount and have to be attacked by a professional unit which this will be. He said the accidents in San Francisco exceed the National average by 12%, therefore, he said he felt this grant was absolutely necessary and in the interest of life, limb and property as far as the people of San Francisco are concerned, he would move for approval with the footnote that it be expedited as soon as possible.

It was then seconded by Commissioner Murphy and unanimously approved.

RESOLUTION NO. 107-80

PERMISSION TO APPLY FOR AND ACCEPT A GRANT OF FUNDS FROM THE CALIFORNIA OFFICER OF TRAFFIC SAFETY

---

RESOLVED, that the Police Commission does hereby authorize the Chief of Police to apply for, accept and expend funds granted by the California Office of Traffic Safety as follows:

\$2,120,994.00 - For the purpose of providing funds to institute a program entitled "Vehicle Accident Reduction through Enforcement and Education."

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler



The Commission then adjourned its meeting  
at 1924 hours.

Willie E. May  
SECRETARY  
10



5 MARCH 1980

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 5, 1980 at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

**DOCUMENTS DEPT.**

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RECOMMENDATION OF THE TRAFFIC BUREAU

Traffic items #4 and #5 were continued at the request of Mr. Willett from the San Francisco Light-house for the Blind. He stated that since their original request was submitted they have now reconsidered the request and would like to go over it with the Department's Survey Team at a later date.

On traffic item #6 Sergeant Newlin stated that the applicant, Mr. Robert Henderson, was present and that the Department's Survey Team had written down a denial based on Mr. Henderson's request of 66 feet of Green Zone but recommended 44 feet only. Since the application reflects a denial, he said, he was requesting that the 44 feet be granted to which Mr. Henderson said would be agreeable to him.

The Commission then acknowledged this request and granted the request for 44 feet of Green Zone.

The remaining portion of the Consent Calendar was approved.

RECOMMENDATION OF THE TRAFFIC BUREAU -APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning; for the regulation of traffic on the public streets, be, and the same are hereby approved:

991 HARRISON STREET - VENETIAN MARBLE CO.

- a) At 991 Harrison Street, install a 27' yellow zone, extending from 18' to 45' west of east property line..



1702 CLEMENT STREET - TIA MARGARITA

- a) At 1702 Clement Street, install a 32' white zone, extending from west property line 32' east of same.

298-18th AVENUE - JIM'S PRODUCE

- a) At 298-18th Avenue, install a 22' green zone, extending from south property line 22' north of same.

1155 MISSION STREET - S.F. LIGHTHOUSE FOR THE BLIND INC. - CONTINUED ONE WEEK

- a) At 1155 Mission Street, install a 22' yellow zone, extending from east building line 22' west of same. CONTINUED ONE WEEK.
- b) Remove meter MIS 1153. CONTINUED ONE WEEK.

654 MINNA STREET - S.F. LIGHTHOUSE FOR THE BLIND, INC - CONTINUED ONE WEEK

- a) At 654 Minna Street, install a 23' yellow zone, extending from west building line 23' east of same. CONTINUED ONE WEEK.

#1 PLUM STREET - BOB'S SUPPLY

- a) At #1 Plum Street, install a 44' green zone, extending from west building line 44' east of same.

1750 FRANKLIN STREET - 1750 FRANKLIN APARTMENTS- DENIED

- a) At 1750 Franklin Street, install a 22' white zone, extending from 22' to 44' south of north property line. DENIED.

3121-17th STREET = TRAMCO TRANSMISSIONS - DENIED

- a) At 3121-17th Street, install a 22' green zone, extending from east property line 22' west of same. DENIED.



1166 HOWARD STREET - COPY COPIA - REVOKED

- a) At 1166 Howard Street, revoke existing 24' yellow zone, extending from 33' to 57' west of east building line.

215-225 SANCHEZ STREET - S.F.P.D. - REVOKED

- a) At 215-225 Sanchez Street, revoke existing 46' red zone, extending from 50' to 96' south of Market Street.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 70 feet of red and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 124-80

RUDY COLOMBINI AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rudy Colombini and his attorney against the City and County of San Francisco in the sum of \$1,850.00 in Superior Court Action No. 707-821 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 22, 1975

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 117-80

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP, SERGEANT MICHAEL HEBEL, PERSONNEL AND TRAINING, AND DR. MIMI H. SILBERT, TRAINING CONSULTANT, AT A POST BASIC COURSE REVISION CONSORTIUM CONFERENCE IN LOS ANGELES, CALIFORNIA, ON MARCH 19, 1980 AND MARCH 20, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard D. Klapp, Sergeant Michael Hebel, Personnel and Training, and Dr. Mimi H. Silbert, Training Consultant, be detailed to attend a Post Basic Course Revision Consortium Conference in Los Angeles, California, on March 19, 1980 and March 20, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Richard D. Klapp and Sergeant Michael Hebel, in a sum not to exceed \$188.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund. Dr. Mimi H. Silbert's expenses are to be paid by direct reimbursement to her from P.O.S.T., in the amount of \$188.00.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 118-80

AUTHORIZING ATTENDANCE OF INSPECTOR JOHN MC KENNA, INTELLIGENCE UNIT-GANG TASK FORCE, AT THE ORGANIZED CHINESE CRIME SEMINAR IN ONTARIO, CANADA, FROM MARCH 25, 1980 TO MARCH 27, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector John McKenna, Intelligence Unit-Gang Task Force, be detailed to attend the Organized Chinese Crime Seminar, in Ontario, Canada, from March 25, 1980 to March 27, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Inspector John McKenna, Intelligence Unit-Gang Task Force, in a sum not to exceed \$663.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 119-80

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST RALPH WHITTEN TO THE FBI ACADEMY, QUANTICO, VIRGINIA, FOR A COURSE IN BIO-CHEMICAL METHODS AND BLOODSTAIN ANALYSIS, FROM MARCH 16, 1980 TO MARCH 28, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalist Ralph Whitten, be detailed to attend the FBI Academy, Quantico, Virginia, for a course in Bio-Chemical Methods and Bloodstain Analysis, from March 16, 1980 to March 28, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Assistant Criminalist Ralph Whitten, will be defrayed by the FBI.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 120-80

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by Lieutenant Lloyd Crosbie, Robbery Detail, for the following-named members of the Police Department, for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Inspector Timothy Casey ) \$90.00 (Robbery Investi-	
Inspector Michael Dower ) gation Seminar,	
Inspector Barry Johnson ) (at San Bruno, Cal-	
	(ifornia, on February
	(7, 1980 and February
	(8, 1980.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 121-80

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Inspector Don D. Daniels )	\$264.00 (Protective Ser-
)         each (vices Techniques	
Inspector Louis J. Ligouri)	(Course, Sacramento,
	(California, from
	(February 11, 1980
	(to February 15,
	(1980, inclusive.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 122-80

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Gregory S. Cash)	\$212.50 (Defensive Tactics
	(Instructors' Train-
	(ing Course, Santa
	(Rosa, California,
	(from February 4,
	(1980 to February 15,
	(1980, inclusive.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

The Commissioners, having received, amended and returned copies of the minutes of the meeting of January 9, 1980, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



COMMISSION REPORT - DISCUSSION RE PROPOSED CHARTER  
REVISION..(CONTINUED FROM THE MEETING OF FEBRUARY  
27, 1980) - CONTINUED ONE WEEK

Commissioner Nelder stated that he went over the recommendations and suggestions proposed by the Department and that he didn't find any major discrepancy. He said he pretty much agreed with everything that has been suggested with the exception of a very minor change on page 4 where the fine not exceeding one month's salary perhaps should read, for any one offense, and that would eliminate any discrepancy such as was recently had. He said the other thing he was going to suggest be changed was on page 5. He said, traditionally, civilian employees fell within the province of the Commission on matters of disciplinary hearings and that he felt that this is where it should remain.

Mr. Wilson, the Legal Officer, stated that a recent Charter change attempted to take civilians out of the province of the Police Commission in terms of discipline. He said it now leaves the Chief as the appointing officer with the first responsibility and they are all subject to his action. He said in the simplest case a permanent employee has a Hearing before a Hearing Officer and the appeal of the Hearing Officer would then be taken to Superior Court.

Commissioner Sanchez then requested that Mr. Wilson forward the Document, which gives the authority for this process, to the Police Commission for its review..

Commissioner Murphy then expressed her concerns about language in the Charter authorizing the Commission to organize, re-organize, and manage the police department. She said she would like language to the effect that the Chief would have the responsibility for management, organization and re-organization with the advise and consent of the Commission.

Commissioner Sanchez then asked Commissioner Murphy to put this in the form of a motion as it has come up before and no agreement as to its acceptance by the full Commission had ever been reached.

The issue was then moved by Commissioner Murphy and seconded by Commissioner Nelder.

Discussion was had and it was brought out by Commissioner Nelder that because of the number of years a Civilian Police Commission has been, in this position, it has actually deterred, or discouraged, any talk about a Police Review Board and that this language provides for a healthy way to administer a department.

Commissioner Murphy stated she thought her recommended change had nothing to do with a Civilian Review Board, etc. She also pointed out that the



Commission was already a Civilian Review Board.

Commissioner Sanchez then stated, "All in favor of the proposed revision state, Aye."

AYES: Commissioner Murphy

NAYS: Commissioners Daly, Nelder, Toler,  
Sanchez

Commissioner Murphy then commented that she thought the Commission would be sorry at a future time they had not heeded her advise.

The motion, as presented by Commissioner Murphy, was defeated and Commissioner Sanchez then stated that the issue in this regard would now be laid to rest.

The Commission then heard from Commissioners Murphy and Nelder who attended a Budget Seminar dealing with the Department's projections and goals in switching from a Line Item Budgeting format to a Program Budgeting format.

Commissioner Sanchez then thanked Commissioners Murphy and Nelder for their participation and report on this seminar and again thanked Department Staff for its outstanding presentation made last week regarding the Department's 80/81 budget.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Shannon, representing the Chief, stated that the Chief didn't mention anything specific but on a note of interest, the Department has started a recruiting drive for the next Q2 Police Officer examination. He said in one week there were over 1000 applications.

He said the academy training was moving right along and by the time the training is finished for the current five classes, which were the first part of the Federal Consent Decree, the Department will be in total compliance.



RECEIPT OF PROPOSED CHANGE OF RULE 2.113 RELATIVE  
TO RESTRICTION OF POLITICAL ACTIVITIES BY MEMBERS.  
(COPIES SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED  
TO MARCH 19TH

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AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REQUEST OF POLICE OFFICERS ROBERT MC MILLAN AND  
MARK MINO, SOUTHEAST POLICE STATION, FOR PERMISSION  
TO ACCEPT AN AWARD FROM MR. AND MRS. DELVIN HALE,  
IN THE SUM OF \$1,000.00

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Commissioner Nelder stated that he thought this was very consistent with the things that are happening, not only here, but elsewhere, where children are involved. He said he felt that the officers should be commended, in addition to being allowed to receive this reward because, he said, here is a 15 year old girl, obviously a runaway in the companionship of adults, and was obviously going to get into trouble if she had continued carrying on in this manner. He said the parents of the girl insist that these officers be allowed to receive this reward and they also commended Sergeant Arthur Gerrans and Officer Susan Pavlov who is his partner for their part in this matter.

Commissioner Sanchez stated that San Francisco is a refuge for many, many people coming from all areas, and one of the major concerns we have is that so many young people come here and in many instances are never heard of again.

He said the fact that these officers were on their toes, and alert, is outstanding testimony of the quality of our officers and their commitment to the citizens of San Francisco and Police Department.

He said on behalf of the Police Commission he wished to commend the officers for their outstanding work.

The Commission then presented a check in the amount of \$1,000.00 (from the parents of the found girl, Mr. and Mrs. Delvin Hale) to Officers Robert McMillan and Mark Mino.

PERMISSION TO ACCEPT A REWARD - APPROVED

The request of Police Officers Robert



McMillan and Mark Mino, Southeast Police Station, for permission to accept a reward of \$1,000.00 from Mr. and Mrs. Delvin Hale for the apprehension and return of their daughter, Michèle, on February 18, 1980, who had run away from a Children's Home in Idaho, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

AUTHORIZING ACCEPTANCE BY THE SAN FRANCISCO POLICE DEPARTMENT OF ONE BAY GELDING HORSE, VALUED AT \$300.00, FOR USE OF THE MOUNTED UNIT FROM MRS. LOIS BOLES, 845 ARASTRADERO ROAD, PALO ALTO, CALIFORNIA

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RESOLVED, that the San Francisco Police Commissioner hereby approves the gift of one bay gelding horse to the San Francisco Police Department Mounted Unit from Mrs. Lois Boles, 845 Arastadero Road, Palo Alto, California.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 123-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER TEDDY QUERUBIN, PARK POLICE STATION

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WHEREAS, the status report in the matter of Police Officer Teddy Querubin, Park Police Station, was called; and

WHEREAS, Officer Teddy Querubin telephoned the Police Commission Office, and stated that he was ill and his doctor had ordered him confined to his home; therefore be it

RESOLVED, that the Police Commission having been informed as to Officer Querubin's illness, does hereby grant him a one week continuance for his mandatory appearance before the Police Commission in accordance with Police Commission Resolution No. 701-79, and he shall now appear on Wednesday, March 12, 1980 at 1700 hours, in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 125-80

STATUS REPORT IN THE MATTER OF SERGEANT HARVEY HARRISON, SUPPORT SERVICES BUREAU - COMMUNICATIONS DIVISION

WHEREAS, the status report in the matter of Sergeant Harvey Harrison, Support Services-Communications Division; was called; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Sergeant Harrison, that Sergeant Harrison's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

RESOLVED, that the date for a status report in the matter of Sergeant Harvey Harrison, Support Services-Communications Division, is set for Wednesday, April 23, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 126-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER JAMES GALLAGHER, SUPPORT SERVICES BUREAU - RECORDS DIVISION

WHEREAS, the status report in the matter of Police Officer James Gallagher, Support Services Bureau-Records Division, was called; and

WHEREAS, it was requested by Mr. Joseph O'Sullivan, Attorney at Law, that Officer Gallagher's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

RESOLVED, that the date for a status report in the matter of Police Officer James Gallagher, Support Services Bureau-Records Division, is set for Wednesday, April 23, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 127-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER  
PETER LIBERT, SUPPORT SERVICES BUREAU - COM-  
MUNICATIONS DIVISION

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WHEREAS, the status report in the matter of Police Officer Peter Libert, Support Services Bureau-Communications Division, was called; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Peter Libert, that Officer Libert's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

RESOLVED, that the date for a status report in the matter of Police Officer Peter Libert, Support Services Bureau-Communications Division, is set for Wednesday, April 23, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 128-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER  
LEE MC VEIGH, SUPPORT SERVICES BUREAU- RECORDS  
DIVISION

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WHEREAS, the status report in the matter of Police Officer Lee McVeigh, Support Services Bureau-Records Division, was called; and

WHEREAS, it was requested by Mr. Joseph O'Sullivan, Attorney at Law, for Police Officer Lee McVeigh, that Officer McVeigh's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

RESOLVED, that the date for a status report in the matter of Police Officer Lee McVeigh, Support Services Bureau-Records Division, is set for Wednesday, April 23, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 129-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER  
HAROLD WINKLER, SUPPORT SERVICES BUREAU - COMMUNI-  
CATIONS DIVISION

WHEREAS, the status report in the matter of Police Officer Harold Winkler, Support Services Bureau-Communications Division, was called; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Harold Winkler, that Officer's Winkler's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

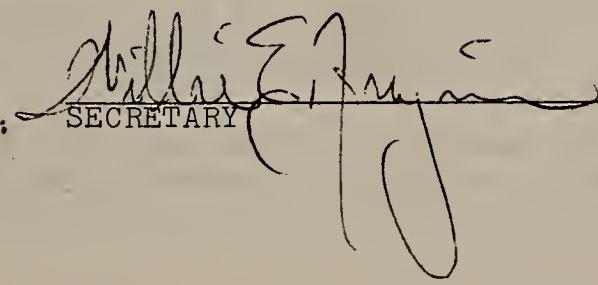
RESOLVED, that the date for a status report in the matter of Police Officer Harold Winkler, Support Services Bureau-Communications Division, is set for Wednesday, April 23, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez then stated that he would like to bring up one comment and that is the Market Street Development Project will be making an award to the Police Officer of the Year next week, and have invited all of the Commissioners to participate.

He said it would be held at 1000 hours on March 11, 1980 at Hallidie Plaza and he hoped that everyone would be able to attend.

The Commission then adjourned its meeting at 1824 hours.

  
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SECRETARY



12 MARCH 1980

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 12, 1980 at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

**DOCUMENTS DEPT.**

Commissioner Sanchez presiding.

MAY 16 1980

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RECOMMENDATION OF THE TRAFFIC BUREAU

Traffic Item #3 - 1230 Stockton Street

On item #3, Mrs. Ada Lee appeared and requested the Commission to grant her request for a yellow zone in front of her store on Stockton Street between Pacific and Broadway. She said her store imports and exports and that they are trying to build the business up. A motion was then made that this business be granted a Special Truck Loading Zone of 42' from 8 A.M. to 1 P.M.

Traffic Item #10 - The Fairway Business on 401 O'Farrell Street

Mr. Samuel Lydecky appeared and asked the Commission to grant him a white zone in front of his Rent-A-Car Business at this location.

The Commission, after listening to Mr. Lydecky, decided to hold it over for two weeks to allow him to reassess the situation and look into the possibility of a green or other limited type parking zone, and find out what other auto rental agencies are doing in that sector so this way it can be determined if everyone is getting a fair deal in this regard. It was then continued for two weeks.

Traffic Item #4 - 2450 Sacramento Street - University of Pacific School of Dentistry.

Traffic item #4 was discussed and Commissioner Murphy requested that it be held over for two weeks also.



RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau for installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

2820 VAN NESS AVENUE - ACADEMY OF WORLD STUDIES

- a) At 2820 Van Ness Avenue, install a 22' white zone, extending from south property line 22' north of same.

298-5th AVENUE - JOE'S MEDIUM RARE

- a) At 298-5th Avenue, install a 44' white zone, extending from 10' to 53' east of west property line.
- b) Remove meters 5th Ave #298 and #296.

1230 STOCKTON STREET - JING KEUNG TRADING CO.

- a) At 1230 Stockton Street, install a 42' yellow Special Truck Loading Zone of 42' extending from 2' to 44' south of north property line. Posted to read 8 A.M. to 1 P.M.
- b) Removal of meter STO 1218 DENIED

2450 SACRAMENTO STREET - UNIVERSITY OF PACIFIC SCHOOL OF DENTISTRY - CONTINUED FOR TWO (2) WEEKS

- a) Revoke 25' yellow zone, from 6' to 31' east of driveway at 2450 Sacramento Street. CONTINUED FOR TWO (2) WEEKS.
- b) Replace with 25' blue zone from 6' to 31' east of driveway of 2450 Sacramento Street. CONTINUED FOR TWO (2) WEEKS.

2279 MISSION STREET - GOODWILL INDUSTRY

- a) At 2279 Mission Street, revoke 22' of existing yellow zone, extending from 2' to 24' south of north property line.



- b) Replace with 22' blue zone, extending from 2' to 24' south of north property line.

1659 LEAVENWORTH STREET - S.F.P.D. - REVOKED

- a) At 1659 Leavenworth Street, revoke existing 30' green zone, extending from 6' to 36' north of south property line.

748-752 BROADWAY - S.F.P.D. - REVOKED

- a) At 748-752 Broadway, revoke existing 26' yellow zone, extending from 2' west to 28' east of 748 Broadway.

124 SPEAR STREET - S.F.P.D. - REVOKED

- a) At 124 Spear Street, revoke existing 110' yellow zone, extending from north building line 110' south of same.

400 CORTLAND - CLAY ART - DENIED

- a) At 400 Cortland, install a 22' yellow zone, extending from 6' to 28' south of north property line. DENIED.

- b) Removal of meter CORT 402. DENIED.

325-327 TAYLOR STREET - FAIR WAY - CONTINUED FOR TWO (2) WEEKS

- a) At 325-327 Taylor Street, install a 44' white zone, extending from 21' to 65' south of north property line. CONTINUED FOR TWO (2) WEEKS.

- b) Removal of meter TAY 325 and 327 CONTINUED FOR TWO (2) WEEKS.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of



the Traffic Bureau on the revocation of 213 feet of yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 130-80

NICHOLAS M. ALLEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nicholas M. Allen against the City and County of San Francisco in the sum of \$37.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 31, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 131-80

CHIK CHUEN KWONG

RESOLVED; that the recommendation of the City Attorney for settlement of the claim of Chik Chuen Kwong against the City and County of San Francisco in the sum of \$194.54 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 4, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 132-80

GARRY ESGET

RESOLVED, that the recommendation of the City Attorney for settlement of the claim Garry Esget against the City and County of San Francisco in the sum of \$37.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 14, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 133-80

J & H AUTO WRECKING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the J & H Auto Wrecking Company against the City and County of San Francisco in the sum of \$141.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 24, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 134-80

RUSSELL J. MATLI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Russell J. Matli against the City and County of San Francisco in the sum of \$125.04 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 28, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 135-80

KATHERINE MYERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Katherine Myers against the City and County of San Francisco in the sum of \$300.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 21, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 136-80

MAURICIO A. RAMOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mauricio A. Ramos against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 23, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 137-80

WATERS EQUIPMENT COMPANY, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Waters Equipment Company, Inc., against the City and County of San Francisco in the sum of \$179.08 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 19, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 138-80

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$2,000.00 charging same to Firm No. 355081 2021 133 01 as an advance on the Police Narcotic Fund for the month of March, 1980.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 139-80

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of March, 1980.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

COMMISSION REPORT - DISCUSSION RE PROPOSED CHARTER REVISION. (CONTINUED FROM THE MEETING OF MARCH 5, 1980)

Mr. Frank Fitch and Mrs. Agnes Chan appeared on behalf of the Charter Commission Revision Committee.

Commissioner Sanchez stated that this would be the last week of discussion on this issue and now is the time to see if the Commission has any additional items to discuss pertaining to the proposed Charter Revision. He said there has been two drafts written by Staff that were reviewed over the past meetings.

Mr. Fitch then discussed with the Commission the Chief's Subpoena powers as it relates to pawn brokers, second hand dealers, peddlers, junk dealers, auctioneers and others designated by the Board of Supervisors. He said the recommendation to the Commission is that the Chief have Subpoena powers with any business for which he issues a permit. He said he was suggesting that the Chief have Subpoena power over those businesses to the extent that it's granted by the Board of Supervisors. He said he felt that this was an issue that should be left to the Board to designate which



permits, and to what extent, the power would be available.

Commissioner Nelder then stated that the Key phrase is permits issued by the Chief of Police, and if he doesn't have the authority, or the power to investigate thoroughly and completely, then it is rather ridiculous to hold him responsible for the conduct of these given locations.

Commissioner Sanchez then stated that the Commission had not scheduled one more public forum on this with the various Associations and that there have been some requests from the organizations whereby they would like to speak to the Commission itself and he was hoping that perhaps at the next meeting the Commission could have the Charter Revision Committee appear and then have all of the organizations, including the Associations, etcetera, the OFJ, Local 400, and others, and perhaps have copies of what the Commission has discussed and approved so far, and at that point if they have any comments to make to the Commission pertaining to the proposals we could have it at the next meeting. He said that would also give the Commission, Chief and Staff time to review what Commissioner Fitch has brought up this evening as far as this item is concerned.

After further discussion on the subject Commissioner Sanchez thanked Mr. Fitch and Mrs. Chan for appearing and for their services in coming to the Commission meetings.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy stated that he had no report tonight.

#### RESOLUTION NO. 141-80

#### PATROL SPECIAL OFFICER DAN MORRIS - REVOKED

RESOLVED, that the appointment of Patrol Special Officer Dan Morris for Beat No. 69, Mission Police District, be, and the same is hereby revoked effective March 12, 1980, he having sold his beat to Patrol Special Officer Jack Menn.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 142-80

PATROL SPECIAL OFFICER JACK MENN - APPROVED

RESOLVED, that Patrol Special Officer Jack Menn, be, and he is hereby appointed Patrol Special Officer for Beat No. 69, Mission Police District; said appointment effective March 12, 1980, he having purchased Beat No. 69, from Patrol Special Officer Dan Morris.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PETITION FROM TEN MEMBERS OF THE SAN FRANCISCO POLICE DEPARTMENT REQUESTING RECOGNITION OF THE POLICE PISTOL TEAM BY THE POLICE COMMISSION. - CONTINUED FOR TWO (2) WEEKS.

Inspector Armand Pelessetti, Youth Services Division, appeared and stated that he was representing the ten members who are requesting the San Francisco Police Commission give official recognition to the Police Pistol Team. He asked the Commission to continue this matter until they could make a presentation that would be somewhat more formal in nature and more specific in nature in showing the Commission and Chief that the San Francisco Police Department has a pistol team to be very proud of, something that would not require a lot of funds.

Commissioner Nelder then stated that historically the San Francisco Police Department has had a Pistol Team and in addition to developing a spirit of competition with other departments which also have pistol teams this is a sport that is even entertained as far as the Olympics are concerned and he stated that more than that, it really breeds a consciousness of safety as far as firearms are concerned and he thought it was something the Commission should support if the Chief recommends it. He then suggested that the matter be put over for two weeks.

STATUS REPORT IN THE MATTER OF POLICE OFFICER TEDDY QUERUBIN, PARK POLICE STATION -(CONTINUED FROM THE MEETING OF MARCH 5, 1980)

Sergeant Michael Hebel: "There was a discussion during the recess regarding Officer Querubin and



in his interest a conversation was held with the Chief of Police and Deputy Chief Shannon and Mr. Wilson concerning Officer Querubin. Officer Querubin would like to resign. The recommendation that we understand from the Chief is that he is going to be able to resign with services being satisfactory which would allow him to return to the Police Department at any time during that one year as long as at the time he returns he weighs 212 lbs., or less. He understands that by resigning that this will be the recommendation that he will have to get down to 212 lbs., if he ever wants to return as a police officer. He knows he has but one year to do that, that he would be a new employee when he comes back, that he would serve a probationary period and that he would be under the same rules and regulations that any probationary employee would be, including the fact that the department undoubtedly would be watching his weight.

Commissioner Sanchez: "Thank you Sergeant. So therefore, your discussion and actual presentation to the Commission as far as the Status Report is that, basically, Officer Querubin is asking to resign at this point with the one year variance whereby when his weight comes into compliance with other factors that he will be put back on the force but that decision is up to him, correct?"

Lawrence Wilson: "Well, he must request himself and be subject to a background investigation and pass a physical and what not."

Commissioner Sanchez: "Chief Murphy if, perhaps, we could have the Department's review and recommendation pertaining to the status of Officer Querubin at this point."

Chief Murphy: "I would make the recommendation to the Commission that we would accept the resignation of Officer Querubin and, of course, he has the option of returning within a year, providing that there is, in fact, a vacancy in the Department at that time, he can legally return and there is no indication at this time that there wouldn't be, however, something could change in the meantime and maybe there wouldn't be an opening and he wouldn't have the option of returning if there are no vacant positions. But I don't think that's a likelihood now. And, of course, the stipulation that he would return at exactly 212 lbs., or less and we would not accept the 10% waiver, is my recommendation to the Commission as such."

Commissioner Daly: "Chief, what is his weight now?"

Lawrence Wilson: "240 lbs, Commissioner Daly."



Bob Barry: "Commissioner, he was 236 yesterday when he weighed in with the Police Surgeon. He weighed in at 240 today. There is body fluid in there, there is no question about that. And that's one of the recommendations because we are waiving the 10% variance he would normally have to come back at 231, but without that 10% he has to come in at 212."

Commissioner Nelder: "Well, I think Mr. President, that the Chief's recommendation is that we accept the resignation of Officer Querubin and I feel that this is a penalty in itself, and as much if he resigns, and even if he does come back, he relinquishes his seniority, so I think we have to make it certain that officers do meet requirements of the rule which was enacted in 1970 where they required that they meet that weight demand and I think that we have to be very serious about it so I would make a motion that we accept the Chief's recommendation, that we accept the resignation of Officer Querubin."

Commissioner Toler: "I would second the motion."

Commissioner Sanchez: "Alright, there is a motion and a second to accept the Chief's recommendation pertaining to the status of Officer Querubin. We have discussion Commissioner Toler?"

Commissioner Toler: "After one year does he have to take the written?"

Chief Murphy: "Yes, after one year yes, but not before."

Commissioner Murphy: "I would like to ask a question along those same lines. Would he be required to or would we want him to go through the training again, only new police officer recruits must take?"

Chief Murphy: "He's been through the training already, at that time should he come back into the department I would recommend that he go to advanced Officers Training for a refresher."

Commissioner Sanchez: "Are there further questions or comments? Commissioner Daly."

Commissioner Daly: "I guess my only problem with this is we are talking about weight loss. I would assume that a trained officer who wants to be a police officer it looks like he has made progress in losing weight and what concerns me is, accepting



his resignation putting him in a position where he should have an exercise program, watch what he eats, get down to the weight he needs to get down to, while we lose an officer at a time when our officer power is low for the city. I just wonder how we weigh these values. I wish we could tell him to go to the gymnasium and we would watch his diet to see if we could get his weight down. He might be upset over this resignation and he might go home and decide to take care of being upset by eating. I know I have been on a diet since I came on this Commission because I want to get down to regulation weight so I know that it can be done if a person wants to and I see us losing an officer over lbs., so I guess my problem is I don't know how we weigh these things. I think its important that we follow the rules and regulations but I wonder if they are created in such a way that it really helps this officer to do what he has been trained to do at the expense of the citizens. Are we doing something that is really helpful. Maybe there is no answer to that."

Commissioner Nelder: "Well Commissioner Daly, I think that what you say makes a great deal of sense with the exception of the resume which was enacted here by the Commission before you and I came aboard. And on December 12, 1979, you Commissioners already heard this matter, as I understand it, and at that particular time you heard the entire matter of Officer Querubin. At that particular time, and you set this particular date to dispose of this matter on the basis of finality, and I think that on the Chief's recommendation Commissioner Daly that this is some concession to Officer Querubin, because if you are right and he wants to be a police officer, then it's up to him to meet the physical requirements and come back, as the Chief indicated he would give him another opportunity."

Commissioner Sanchez: "Fine, I would just like to state that I also have a great deal of concern about the applicability of this. This case was brought before the last Commission and we heard again numerous discussions on it previously, at the same time we knew that there were personal matters involved pertaining to a perhaps a new child in the family, etcetera. Nonetheless, the Commission did direct specific numbers of pounds to be dropped and to come into compliance and, therefore, I think, basically, the decision and also the recommendation at this point I believe is just. And I would just like to throw out a thought for consideration by the Commission, if indeed the San Francisco Police Department is to have a variance on weight such as the 10% variable which was discussed, I personally think that it should be applied equitably across the board for all men



and women within the Department. In this particular case we are citing that he come back in at 212. In essence, we have already set up a separate category. My feeling would be either we abolish the 10% variable or else we maintain it and apply it equitably across the board for all men and women within the Department and I would hope that maybe there might be some discussion on this, if so, I would hope that there might be a, perhaps, amendment to the motion to either drop the 212 or else just say within the San Francisco Police Department's Rules and Regulations pertaining to weight factors and this way the 10% as so established is equitable for him or any other officer coming before this Commission. Otherwise, I think we are losing our sense of uniformity as far as applicability as far as what our rules and regulations are. I would hope that someone on the Commission might consider that."

Commissioner Nelder: "Well, the original motion will simply have an addendum saying that we delete the 212 and add that he shall meet the physical requirements set down by the rules and procedures of this department."

Chief Murphy: "Well, for new employees coming into the Department if we chose to modify the basic regulations as to officers who do have to take the physical examination 10% or 15% is an arbitrary figure, draw the line if the weight is 215 then that should be the line, the heck with the 10% variance."

Commissioner Sanchez: "Okay Chief, I did not quite understand. I thought that the 10% variance was constant."

Chief Murphy: "Not for entry level officers."

Commissioner Sanchez: "Okay so, therefore, the fact that he has resigned when he comes in he must comply uniformly, so this way he is getting the same treatment as any new person that is coming into the department."

Chief Murphy: "I don't see a great problem with the weigh in, when they go out to the gym to be weighed and if there is a significant compliance where the officers are making an effort to get down, a serious and concerned effort, then there is some discussion there, but when its a constant thing that goes on and on and the officer is not making a serious conscious effort then that becomes a problem."



Commissioner Murphy: "I call for the question."

Commissioner Sanchez: "Call for the question, all in favor state aye?"

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez: "All opposed? None. Officer Querubin, we hereby accept your resignation in the spirit of the Commission and in all seriousness the City of San Francisco has put a lot of money and faith in you and other men and women within the Department. I hope that whatever works out, works out in the best interest. Many of us, all of us, feel that you have the capability of becoming an outstanding law enforcement officer in this city and you could set an outstanding role model. Many, many people are following you and we know, and hope, that you do come back within the year period and you have our full support if you do."

Sergeant Michael Hebel: "Commissioners, just on behalf of the Association, we do appreciate what has occurred here tonight and also the accommodation which was made by the Chief and Deputy."

RESOLUTION NO. 140-80

POLICE OFFICER TEDDY QUERUBIN, PARK POLICE STATION

WHEREAS, on Wednesday, July 18, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer Teddy Querubin, reading as follows:

SPECIFICATION NO. 1

Failure to Maintain Weight Standards. (Violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department.)

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, December 5, 1979, and on Wednesday, December 12, 1979; and



WHEREAS, the Police Commission set Wednesday, February 27, 1980, Wednesday, March 5, 1980, and Wednesday, March 12, 1980, as the date for status reports in the matter of Police Officer Teddy Querubin; and

WHEREAS, Chief of Police Cornelius P. Murphy announced that Police Officer Teddy Querubin had verbally submitted his resignation from the San Francisco Police Department; said resignation effective this date which resignation was accepted with the condition that the services of Police Officer Teddy Querubin have been satisfactory, and that he does resign in good standing; therefore be it

RESOLVED, that the status report in the matter of Officer Teddy Querubin's mandatory compliance with Rule 2.36 of the Rules and Procedures of the San Francisco Police Department, is hereby continued off calendar.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez: "Thank you. Is there further business, if not is there a motion for adjournment?"

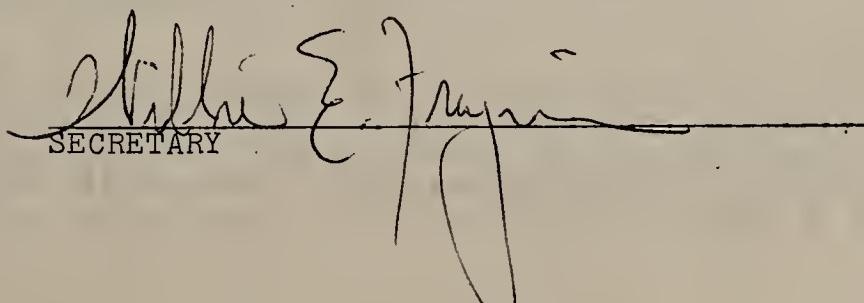
Commissioner Toler: "I move for adjournment."

Commissioner Murphy: "Second."

Commissioner Sanchez: "All in favor?"

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

The Commission then adjourned its meeting at 1855 hours.

  
Willie E. Flynn  
SECRETARY



19 MARCH 1980

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 19, 1980 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

The Commissioners, having received, amended and returned copies of the minutes of the meetings of January 16, 1980 and January 23, 1980, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler

DOCUMENTS DEPT.

MAY 16 1980

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RECOMMENDATION OF THE TRAFFIC BUREAU

Traffic Calendar items #8 and #9 - Speakers appeared in their own behalf.

Item #8 - Mr. Henry Goldblum - 541 Hayes Street - Fina's & Henry Used Furniture.

Commissioner Sanchez after listening to Mr. Goldblum, stated that he would like to have this matter reviewed once again by the Department and have the Department make further recommendation to the Commission in two weeks.

Item #9 - Mr. Robert Schmidt - 621 Scott Street - 625 Scott Apts.

Mr. Robert Schmidt stated that he was requesting the white zone footage at this location because it is a space between two driveways and is only large enough for one vehicle. He said they had had problems with deliveries made to the building. He said if they do



not meet the criteria for the granting of such a zone they will not contest it.

Sergeant Mewlin of the Traffic Survey Division, explained the Department's position on the matter.

Commissioner Nelder, after listening to discussion on the matter by Department representative and Mr. Schmidt, made a motion that Sergeant Newlin review the matter and investigate the feasibility of installing a green zone at that location and put it over for two weeks for final decision.

301-345 Jackson Street - U.S. Immigration Custom House item is not on the agenda for this evening.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1155 MISSION STREET - S.F. LIGHTHOUSE FOR THE BLIND.

- a) At 1155 Mission Street, install a 22' white zone, extending from east building line 22' west of same.
- b) Remove meter MIS 1153.

1025 OCEAN AVENUE - CITY COLLEGE LAUNDRY

- a) At 1025 Ocean Avenue, install a 22' yellow zone, extending from 10' to 32' west of east property line.
- b) Remove meter #OCE 1015.

#2 SADOWA - OCEAN VIEW HARDWARE

- a) At #2 Sadowa, install a 44' green zone, extending from 6' to 50' west of east property line.



690 BRANNAN STREET - IRA DOWD CO.

- a) At 690 Brannan Street, install a 22' yellow zone, extending from 71' to 93' east of 6th Street.

325 BUENA VISTA - ST. JOSEPH HOSPITAL - REVOKED

- a) At 325 Buena Vista, revoke existing 100' white zone, extending from main entrance 50' each direction.

2655 VAN NESS AVENUE - S.F.P.D. - REVOKED

- a) At 2655 Van Ness Avenue, revoke existing 22' white zone, extending from south property line 22' north of same.

541 HAYES STREET - FINA'S & HENRY USED FURNITURE-  
CONTINUED TWO (2) WEEKS

626 SCOTT STREET - 625 SCOTT APTS. - CONTINUED  
TWO (2) WEEKS

301-345 JACKSON STREET - U.S. IMMIGRATION-U.S.  
CUSTOM HOUSE NOT ON THE AGENDA FOR THIS  
EVENING.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 140 feet of white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Deputy Chief Clement D. DeAmicis, Administration, for service, effective February 15, 1980.
- b) Captain Raymond D. White, Traffic Bureau, for service, effective February 27, 1980.
- c) Inspector Donald A. Euing, Bureau of Inspectors, for service, effective February 27, 1980.
- d) Inspector John T. Fotinos, Bureau of Inspectors, for service, effective February 27, 1980.

The communications were ordered filed.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 143-80

PHOEBE M. BARRON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Phoebe M. Barron against the City and County of San Francisco in the sum of \$200.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 14, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



RESOLUTION NO. 144-80

RUNE A. BOCK & ST. PAUL INSURANCE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rune A. Bock and St. Paul Insurance Company against the City and County of San Francisco in the sum of \$1,250.18 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 19, 1979

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 145-80

J & H AUTO WRECKING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of J & H Auto Wrecking against the City and County of San Francisco in the sum of \$56.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 9, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 146-80

OCTAVIO LLANO A.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Octavio Llano A., against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty



tow, be, and the same is hereby approved.

Date of Incident: November 22, 1979

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 147-80

SUZANNA CAROLINE QUINN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Suzanna Caroline Quinn against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 12, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 148-80

ERNEST CARTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ernest Carter against the City and County of San Francisco in the sum of \$356.89 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 6, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



RESOLUTION NO. 149-80

DIMITRIOS D. DRIVAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dimitrios D. Drivas in Small Claims Court Action No. 369-814 in the sum of \$37.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 13, 1979

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 150-80

AUTHORIZING ATTENDNACE OF FINGERPRINT TECHNICIANS KATHY BRANDIN, WENDY CHONG AND DIANA GRZBOWSKI, SUPPORT SERVICES BUREAU, AT AN ADVANCED LATENT FINGERPRINT TRAINING COURSE IN SACRAMENTO, CALIFORNIA, FROM APRIL 7, 1980 TO APRIL 11, 1980.

RESOLVED, that the recommendation of the Chief of Police that Fingerprint Technicians Kathy Brandin, Wendy Chong and Diana Grzybowski, Support Services Bureau, be detailed to attend an Advanced Latent Fingerprint Training Course in Sacramento, California, from April 7, 1980 to April 11, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that Fingerprint Technicians Kathy Brandin, Wendy Chong and Diana Grzybowski, Support Services Bureau will defray their own expense for travel and subsistence. They will subsequently be reimbursed by P.O.S.T., through the Department Training Fund.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



Commissioner Sanchez then stated that the record should show that the Commission met in Executive Session this date at 1630 hours to review personnel matters and no vote was taken.

COMMISSION REPORT - DISCUSSION RE PROPOSED CHARTER REVISION - (CONTINUED FROM THE MEETING OF MARCH 12, 1980)

Commissioner Sanchez then stated that he believed at this point there was supposed to be input received on the Charter Revision from the various employee organizations, such as the San Francisco Police Officers' Association, Officers for Justice, or the Supervisory and Investigators Association, and also Local 400, the Municipal Employees Association. All Associations stated verbally to Lieutenant Frazier, Secretary to the Commission, that they were in accord with the Department's recommendations in these matters.

As there was not further discussion on the matter the Commission then voted to forward the Department's proposed recommendations and revisions of the Charter to the San Francisco Charter Revision Committee.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy stated that he had no report tonight.

MR. BILL MAHER, PRESIDENT, SAN FRANCISCO BOARD OF EDUCATION

Mr. Bill Maher, President, San Francisco Board of Education, appeared and stated that the nature of this meeting had changed quite a bit since it was first calendared for him to appear. He said that it was his understanding at this point that part of what he had requested would be proposed and that the hours (for policemen to be in schools in uniform) would be from 10 A.M., to 2 P.M. He said he would like to thank the Commission very much and that they (the School Board) appreciates the fact that the Commission have seen fit to do this.

He said that he just hopes that whatever officers that are assigned to the schools remember that they are there to provide a safe environment and not to arrest people unless it is necessary.



Commissioner Sanchez thanked him very much for attending this meeting and bringing it to the full Commission's attention.

Commissioner Sanchez then asked if there were further comments from members of the audience to which a Mr. Larry Orloff, member of the Committee against Racism spoke out and said that they were opposed to having police officers in the schools. He said the School Board was requesting this because they were afraid of what was going on in the schools but it is not going to solve the problem. He said what people in the community want are better schools and the problem will not be solved by placing policemen there.

Chief Murphy then asked him who he was representing because if it comes to having to pull the officers out of the schools come September, he would like to have more community input, in writing, along those same lines from which Mr. Orloff was speaking.

After further discussion Commissioner Sanchez then thanked Mr. Orloff and the Chief, and the Chief especially, for working out a rational compromise in the best interest of the school children and of the department given the limited manpower currently at hand.

SETTING OF DATE FOR PUBLIC HEARING RELATIVE TO PROPOSED CHANGE TO RULE 2.113 CONCERNING RESTRICTION OF POLITICAL ACTIVITIES BY MEMBERS OF THE SAN FRANCISCO POLICE DEPARTMENT - CONTINUED FOR TWO (2) WEEKS.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR FUNDING OF ONE ADDITIONAL OFFICE FOR THE SENIOR CITIZEN ESCORT SERVICE FOR THE PERIOD JUNE 30, 1980 THROUGH JUNE 30, 1981 - CONTINUED FOR ONE (1) WEEK

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler



REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR FUNDING OF PARKING TAX NEIGHBORHOODS FOR THE SENIOR CITIZEN ESCORT SERVICE FOR THE PERIOD JUNE 30, 1980 THROUGH JUNE 30, 1981 - CONTINUED FOR ONE (1) WEEK.

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AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 152-80

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO FUND INCREASED COSTS IN THE FUEL AND LUBRICANT ACCOUNT.

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RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$85,000 to transfer funds for increases in the costs of fuels and lubricants.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 153-80

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO COVER INCREASED UNIFORMED OVERTIME COSTS

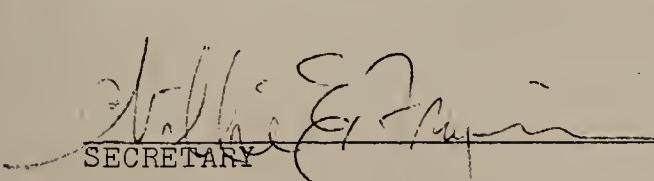
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RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$400,000 to cover increased uniformed overtime costs.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

The Police Commission then adjourned, in honor of the United States Boxing Team members who were killed in a plane crash disaster in the past few days in Poland, at 1830 hours.

  
SECRETARY



26 MARCH 1980

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 26, 1980 at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

**DOCUMENTS DEPT.**

Commissioner Sanchez presiding.

**MAY 16 1980**

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PRESENTATION OF MEDALS OF VALOR AWARDS AND CERTIFICATES

Commissioner Sanchez: "This is item #2 on the agenda, we apologize to many of the families here for the delay. Let it be recorded that the Police Commission did meet in Executive Session with the City Attorney and no vote was taken.

As is the tradition of the Commission, one of our Commissioners chairs the Awards and Certificate Committee. And pertaining to this particular Commission and Awards Committee, Commissioner Al Nelder was Chairperson of that Awards Meeting, so I will turn it over to Commissioner Nelder at this point."

Commissioner Nelder: "Yes, Mr. President, fellow Commissioners, on February 22nd of this year, the Meritorious Board met here and heard the cases that are being awarded today and I might tell you that it was my privilege to sit in on that hearing and I was very proud of the work that the members of this department had done. And I want to take this opportunity to compliment all of the members who received Medal of Valor Awards and they really extended themselves much beyond the call of duty in acquiring these Awards. And I might say over and above everything else, there is always a great deal of criticism about police being a little quick to use weaponry, and I might say that in these cases it reflected otherwise, that the men did not resort to firearms and took the necessary actions and for that they should be complimented. So I would like to take this opportunity Mr. President, fellow Commissioners, to personally compliment them on behalf of this Commission and the Department, the members who received the Awards and also their families who are here today."



PRESENTATION OF THE MEDAL OF VALOR AWARDS AND  
CERTIFICATES

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The following-named members of the Police Department were presented Medals of Valor Awards and Certificates at the Commission Meeting by Commissioner Nelder:

Sergeant James L. Baca.....Gold Medal

Police Officer Kenneth W.  
Katz.....Gold Medal

Sergeant Thomas A. Burns.....Silver Star

Assistant Inspector Stephen J.  
Gudelj..Silver Medal

Police Officer Ronald J.  
Artale.....Silver Medal

Police Officer Philip J. Dito.Silver Medal

Police Officer Thomas P.  
Donohoe.....Silver Medal

Police Officer John M.  
Farnham.....Silver Medal

Police Officer Thomas J.  
Griffin.....Silver Star

Police Officer Johnny  
Velasquez.....Silver Medal

Sergeant Alan L. Perini.....Bronze Star

Inspector Edward J. Dennis....Bronze Star

Inspector Edwin M. Kenney.....Bronze Star

Inspector Richard E. Leon.....Bronze Star

Police Officer Michael T.  
Dempsey.....Bronze Star

Police Officer James E. Drago.Bronze Medal

Police Officer Luis A. Duran..Bronze Medal

Police Officer Michael A.  
Geraldi.....Bronze Medal

Police Officer Paul E.  
Guinasso.....Bronze Medal

Police Officer Francis J.  
Harrington....Bronze Medal

Police Officer Kippi K.  
Locati.....Bronze Medal



Police Officer Mark S. Porto..Bronze Medal

Police Officer George S.  
Stasko....Bronze Star

The Commissioners, having received, amended and returned copies of the minutes of the meetings of January 30, 1980 and February 6, 1980, reading of the minutes was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

4799 MISSION STREET - MISSION/RUSSIA LIQUOR & DELI

- a) At 4799 Mission Street, install a 22' yellow zone, extending from 7' to 29' north of the south property line.
- b) Remove meter MIS 4771.

3333 MISSION STREET - S.F.P.D.

- a) At 3333 Mission Street, revoke existing 18' yellow zone, extending from 6' to 24' north of south building line.

3333 MISSION STREET - S.F.P.D.

- a) At 3333 Mission Street, revoke existing 28' yellow zone, extending from 60' to 88' north of south building line.
- b) Install meter.

3333 MISSION STREET - S.F.P.D.

- a) At 3333 Mission Street, revoke existing



36' white zone, extending from 24' to  
60' north of south building line.

- b) Install meter.

1501 GREENWICH STREET - S.F.P.D.

- a) At 1501 Greenwich Street, revoke existing 30' white zone, extending from 3'  
to 33' west of Van Ness Avenue.

1501 GREENWICH STREET - S.F.P.D.

- a) At 1501 Greenwich Street, revoke existing 21' white zone, extending from 52' to  
73' west of Van Ness Avenue.

50 GRANT AVENUE - S.F.P.D.

- a) At 50 Grant Avenue, revoke existing 84'  
STLZ yellow zone, extending from 32' to  
116' south of Geary Street.

95 GEARY STREET - S.F.P.D.

- a) At 95 Geary Street, revoke existing  
18' white zone, extending from 24'  
to 42' east of Grant Avenue.

2450 SACRAMENTO STREET - UNIVERSITY OF PACIFIC  
SCHOOL OF DENTISTRY

- a) At 2450 Sacramento Street, revoke existing  
25' yellow zone, extending from 6' to 31'  
east of driveway at 2450 Sacramento Street.
- b) Replace with 25' blue zone, extending from  
6' to 31' east of driveway at 2450 Sacramento  
Street.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of



the Traffic Bureau on the revocation of 260 feet of white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 154-80

COURTESY TOW SERVICE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Courtesy Tow Service against the City and County of San Francisco in the sum of \$251.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 9, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 156-80

KATHERINE L. MACK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Katherine L. Mack against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 25, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 157-80

DOLLY REYNOLDS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dolly Reynolds against the City and County of San Francisco



in the sum of \$255.47 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 155-80

VINCENT LOFTHOUSE

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 369 898 of Vincent Lofthouse against the City and County of San Francisco in the sum of \$47.99 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 22, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 158-80

WILLIAM C. FISHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William C. Fisher against the City and County of San Francisco in the sum of \$200.00 in Superior Court Action No. 737-544 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 12, 1977

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 159-80

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST DANIEL LEE, SUPPORT SERVICES, AT A TRAINING COURSE IN LABORATORY DETECTION AND IDENTIFICATION OF ARSON ACCELERANTS AT ROCKVILLE, MARYLAND, FROM APRIL 14, 1980 TO APRIL 18, 1980, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalist Daniel Lee, Support Services, be detailed to attend a training course in Laboratory Detection and Identification of Arson Accelerants at Rockville, Maryland, from April 14, 1980 to April 18, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Criminalist Daniel Lee, Support Services, will be paid by the U.S. Treasury Department.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 160-80

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR PETER GODBOIS, AND POLICE OFFICER DAVID ALEX, POLICE ACADEMY STAFF, AT A DRIVER INSTRUCTORS' TRAINING COURSE IN SACRAMENTO, CALIFORNIA, FROM APRIL 7, 1980 TO MAY 30, 1980. INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Peter Godbois and Police Officer David Alex, Police Academy Staff, be detailed to attend a Driver Instructors' Training Course in Sacramento, California, from April 7, 1980 to May 30, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Assistant Inspector Peter Godbois and Officer David Alex in a sum not to exceed \$944.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



COMMISSION REPORT

Commissioner Sanchez: "Is there any comments or questions pertaining to matters that have been brought to the Commission over the past few months?"

Commissioner Murphy: "Let me just ask one thing, we have finished our Charter comments haven't we?"

Commissioner Sanchez: "Yes. I believe the Commission will have final copies of the draft we will be submitting to the Charter Revision Committee and that will be an opportunity to review anything else."

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy: "I don't have a report other than the weekly sick report which you will find in the binder if you want to review it."

Commissioner Sanchez: "Fine, item #7."

Item #7 and Item #8 temporarily held over.

PUBLIC HEARING ON THE ISSUANCE OF AN AUTO WRECKING AND SECOND-HAND DEALER PERMIT, 398 QUINT STREET, SAN FRANCISCO. (AUTO ACCESSORIES)

Commissioner Sanchez: "Is Mr. Kennedy here? Mr. Kennedy would you please come to the microphone?"

Commissioner Murphy: "I would like to ask the Chief first, has the Legal Department looked over these contracts as far as you know?"

Mr. Kennedy: "This isn't a contract for any towing. For an Auto Dismantler presently in business, this is the formality, we bought out one partner and it is just putting a different name on the license."

After further discussion the item was unanimously approved.



RESOLUTION NO. 151-80

PUBLIC HEARING ON THE ISSUANCE OF AN AUTO WRECKER  
AND SECOND-HAND DEALER PERMIT, 398 QUINT STREET,  
SAN FRANCISCO

---

WHEREAS, the Police Commission on March 26, 1980, heard the application of James J. Kennedy, Jr., dba "All Auto Dismantlers Inc.," for the issuance of an Auto Wrecker and Second-Hand Dealer Permit at 398 Quint Street in the City and County of San Francisco; and

WHEREAS, applicant appeared in person and presented oral testimony in support of his application; and

WHEREAS, written recommendations of approval were submitted from Southeast Police Station, the Department's Auto Section and other appropriate City agencies; therefore be it

RESOLVED, that the Police Commission in accordance with the provisions of Section 1237 of the San Francisco Municipal Code (Police Code) does hereby grant to James J. Kennedy, Jr., dba "All Auto Dismantlers, Inc.," an Auto Wrecker and Second-Hand Dealer's Permit for the purpose of buying, selling, exchanging, storing or dealing in used or second-hand automobiles, motor vehicles, motorcycles, equipment, storage batteries and parts of automobiles or automobile accessories at 398 Quint Street, in the City and County of San Francisco.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Items #7 and 8 were again called at this time. Lieutenant Frank Jordan, commanding the Crime Educational Unit, stated that this particular item, deals with a new area in which Senior Escort Service will be offered, the outer Mission Ingleside. He said this is a formality where the Ingleside District has been trying to join with the original 7 areas. He said he is asking the Commission's approval to allow Staff to go before the Commission on the Aging who has funds available and ask them to fund the project. He said it would be for \$102,000 for 1 Coordinator and 6 Escorts. He said it would be a back-up service to the now 7 areas already existing in the City. After answering many of the questions submitted by Commissioners Daly, Nelder, Murphy, Toler and Sanchez, the Lieutenant turned further questions over to Mr. Mark Forester. Mr. Forester then gave the Commission an overview on cost and presented what he felt were justifications for the program.



After further discussion Commissioner Sanchez stated that he personally felt that the spirit of inquiry here today is really a sincere spirit demonstrated by the Commission. He said this Commission is concerned about our seniors in this City and about their safety. He said he thought the response of the Staff to the Commission really shows the understanding of the economics of funding and priority. He continued by saying that he just hoped that when the Department's consultant contract comes up this year for renewal that the Commission exercise the same vigor of inquiry pertaining to consultancies to the Police Department as is being done with our Senior Citizens Program.

Items #7 and #8 were then both approved at this time.

RESOLUTION NO. 161-80

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR FUNDING OF ONE ADDITIONAL OFFICE FOR THE SENIOR CITIZEN ESCORT SERVICE FOR THE PERIOD JUNE 30, 1980 THRU JUNE 30, 1981. (CONTINUED FROM THE MEETING OF MARCH 19, 1980)

RESOLVED, that the Police Commission approves the request for a Supplemental Appropriation to provide funds for new service utilizing Parking Tax monies administered by the Commission on the Aging for the Senior Citizen Escort Service in the amount of \$102,470.00.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 162-80

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR FUNDING OF PARKING TAX NEIGHBORHOODS FOR THE SENIOR CITIZEN ESCORT SERVICE FOR THE PERIODS JUNE 30, 1980 THRU JUNE 30, 1981. (CONTINUED FROM THE MEETING OF MARCH 19, 1980)

RESOLVED, that the Police Commission approves the request for a Supplemental Appropriation to provide funds for continuing service of Parking Tax Funded areas for one full year commencing July 1, 1980 for the Senior Citiaen Escort Service in the amount of \$333,702.00.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RECEIPT OF PROPOSED GENERAL ORDER REGARDING CHANGE  
OF DISTRICT STATION BOUNDARIES, SOUTHEAST/INGLESIDE.  
(COPIES SENT TO EMPLOYEE ORGANIZATIONS.)

Chief Murphy: "This has been a long-standing request by the outer Mission as well as the Southeast District. What happened is the District Boundaries between the Ingleside District and the Southeast District is Naples Street, 6 blocks below McLaren Park, and it just doesn't make sense to have that portion of the District in the Southeast. There is very limited access to it, mainly, by coming up Geneva Avenue, or coming over the top of the hill through the park. The district we are re-locating into the Ingleside is a very homogenous residential neighborhood. It's homogenous with the area that's in Ingleside Station and it won't require any deploying of additional personnel from one end of the District to the other. So it's a practical move that should have been straightened out many years ago."

The date for Public Hearing was set for April 16, 1980.

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 1237 THEREOF,  
PROVIDING FOR PERMITS FOR DEALERS IN USED AUTOMOBILES,  
AUTO PARTS AND ACCESSORIES TO BE ISSUED AND REVOKED  
BY THE CHIEF OF POLICE - CONTINUED FOR TWO (2) WEEKS.

Commissioner Sanchez stated that the legislation as it now stands presents a proper forum for those persons in the Southeast and Potrero Hill Districts to come to the Commission and discuss problems related to abandoned autos and automobile dismantlers. He said he did not feel that there were that many hearings in regards to the issuance and revocation of said permits but when they are held, he said, there is usually extensive community input, especially where the area in question could be used either for recreation for senior citizen groups, and others. He then requested that the matter be continued for two weeks in order to have a better chance to review it and also to discuss with Staff and Chief about the impact of this amendment and whether those persons in those neighborhoods will feel they will have lost an opportunity to come directly before the Commission pertaining to these matters as it has been perceived in the past.

The matter was then continued for two (2) weeks.

PROPOSED LEGISLATION INCREASING THE PERMIT APPLICATION  
AND THE ANNUAL LICENSING FEES PAID BY SECOND-HAND



DEALERS AND REVISING THE LANGUAGE WHICH DEFINES AND  
REGULATES THEM. - WITHDRAWN FROM THE CALENDAR

AYES: Commissioner Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 164-80

AMENDING PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY AMENDING ARTICLE 9 THEREOF RELATING TO THE REMOVAL OF VEHICLES PARKED FOR MORE THAN 72 HOURS.

WHEREAS, the City and County of San Francisco is a defendant in an action brought in Federal District Court over the method of enforcement of 72 hour parking restrictions; and

WHEREAS, the court in that action has ruled that the current enforcement practices are "constitutionally infirm" and indicated that both adequate notice and opportunity to be heard must be given to owners of vehicles subject to removal under the 72 hour parking restriction prior to such removal; and

WHEREAS, no provisions for a hearing prior to removal now exists; and

WHEREAS, Article 9 of the Traffic Code could be amended to provide for adequate notice and an opportunity to be heard; therefore be it

RESOLVED, that the attached proposed ordinance be forwarded to the City Attorney for his approval and transmission to the Board of Supervisors for adoption thereby amending Article 9 of the Traffic Code by adding Section 159.10 thereto providing for notice and hearing prior to the removal of vehicles for violations of Traffic Code Section 37(a).

(Copy on file in the Police Commission Office )

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 163-80

AMENDING PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY AMENDING ARTICLE 3, SECTION 37(b) THEREOF, RELATING TO THE PENALTY FOR VIOLATION OF SECTION 37(a) THEREOF.

WHEREAS, overtime parking as prohibited by Traffic Code Sections 37(a) and 159 are a serious problem resulting in increased traffic congestion on the streets of San Francisco; and

WHEREAS, additional costs will be incurred by the City and County in providing notice and hearing to owners of vehicles parked in violation of said sections; and

WHEREAS, the maximum fine imposable for such violations in Section 37(b) is inadequate; and

WHEREAS, a greater maximum fine will not only off-set increased enforcement costs but will foreseeably result in greater compliance with the law; and

WHEREAS, Article 3 of the Traffic Code could be amended to provide for a greater maximum fine for violation of Section 37(a); therefore be it

RESOLVED, that the attached proposed ordinance be forwarded to the City Attorney for his approval and transmission to the Board of Supervisors for adoption thereby amending Section 37(b) of the Traffic Code by providing for a maximum fine of fifty (50) dollars for violation of Section 37(a) of the Traffic Code.

(Copy on file in the Police Commission Office)

AYES: Commissioners Daly, Nelder, Toler,

EAST 24th STREET ASSOCIATION -CONTINUED FOR THIRTY (30) DAYS.

Commissioner Sanchez: "This Association has asked the Commission to hold this over for 30 days."



RECEIPT OF PROPOSED GENERAL ORDER REGARDING CONSENT  
DEGREE-(COPIES SENT TO EMPLOYEE ORGANIZATIONS) -  
PUBLIC HEARING DATE SET FOR APRIL 23, 1980

GRIEVANCE FILE #08-79 RUSCEL DICKEY

Lawrence Wilson: "Well the Chief has submitted a letter to you which represents the feeling of the Department that in this particular case it is not appropriate for the Police Commission to hear an appeal of this grievant's decision as rendered by the Chief. The Chief had a Hearing Officer conduct a hearing as to the facts of the matter and she examined his proposed findings and concurred in them and denied the grievance.

Peculiarities of the Salary Standardization Ordinance require that the Chief make this report to the Retirement Board and certify under penalty of perjury his findings. Obviously, the desire of the appellants here is to overturn that.

For you to find that their position is well taken then you would be asking, or directing, your Chief of Police to certify under penalty of perjury a set of facts which he did not believe to be true. I think the real import of this is your decision to not consider this appeal and it will exhaust the administrative remedy of the appellants and they will then be free to pursue this matter in Civil Court if they should so desire."

Michael Hebel: "On behalf of Sergeant Dickey, although there is a dispute as to the rank involved, that's a fairly accurate statement the certification is required by the Chief of Police, there has been a Hearing and we are trying to exhaust all administrative remedies. We've continued to take a position that this section of the Salary Standardization Ordinance does not apply to this particular Sergeant because it was passed one year after he was appointed to that position. And secondly, although we lost, we maintain the position that even if it does apply that he was involved in an inspection. There is a concern that I would like to ask the Commission to at least consider this and the Chief also, and that is the fact that in May of '79, this was in a grievance form before then Chief Gain and there was a request made to the City Attorney that a ruling or an opinion be issued by the City Attorney regarding whether, in fact, the Police Association was right in maintaining that this Salary Standardization Ordinance did not apply to the Sergeant because of the fact that it was passed one year after he had been appointed to the limited tenure rank. We have just found out and



Mr. Wilson has the information, that that opinion is going to come out, hopefully, on April 9th. It also involved another police sergeant who was involved in a similar set of facts, or circumstances, and if the Commission chooses, of course, not to hear this matter in light of the presentation that has been made, that it is basically up to the Chief to make the decision, I would request of the Commission and the Chief that should the City Attorney come back and indicate in Mr. Dickey's case that the Salary Standardization Ordinance did not apply that the Chief would send correspondence to the Retirement Board indicating that the matter came before him by way of grievance and that there is an opinion from the City Attorney indicating the Salary Standardization Ordinance did not apply, therefore, recommending that the Sergeant be paid as a Sergeant rather than as a Q2 Police Officer."

Commissioner Sanchez: "Thank you very much Sergeant Hebel for bringing that matter to our attention. At this point there is a request by the Chief for the Commission not to take any action pertaining to a hearing at this point. Unless there is a motion to do otherwise the Commission will sustain the recommendation of the Chief."

Commissioner Murphy: "I move we sustain the recommendation of the Chief."

Commissioner Toler: "I second the motion."

Commissioner Sanchez: "It has been motioned and seconded, discussion? All in favor state Aye? Unanimous Ayes. Motion passes. Nonetheless, for the record I would say that there are administrative matters that the Chief will deal with pertaining to this case and other cases in full review with our legal counsel and I am sure that the lines of communication are open so this way that the best interest of the Department will be served and we have full confidence in that approach. Is there further discussion by the Commission? Chief?"

Michael Hebel: "Mr. Commissioner, the motion was in a form that probably doesn't concur with what should have been done. I think Commissioner Murphy moved to sustain the findings rather than to sustain the recommendation that it not be heard."

Commissioner Murphy: "I meant to say the recommendation of the Chief."

Commissioner Sanchez: "The record will show the recommendation of the Chief."

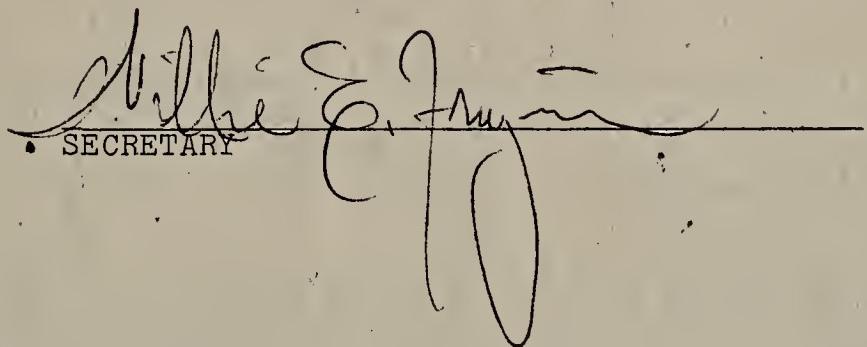


Lawrence Wilson: "We just don't want this to be recorded as a hearing."

Commissioner Sanchez: "No, it is not a hearing."

Commissioner Murphy: "Alright, you clean it up, but that's what we meant."

The Commission then adjourned its meeting at 1917 hours.

  
Willie E. Finch  
SECRETARY



2 APRIL 1980

REGULAR MEETING

*SF Blue Commission Minutes*

The Commission did not meet on this date.

*Dilke E. Tramm*  
\_\_\_\_\_  
SECRETARY

DOCUMENTS DEPT.

MAY 16 1980

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9 APRIL 1980

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 9, 1980 at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

**DOCUMENTS DEPT.**

Commissioner Sanchez presiding.

**MAY 16 1980**

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The Commissioners, having received, amended, and returned the minutes of the meetings of February 13, 1980, February 20, 1980 and February 27, 1980, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1269 HOWARD STREET - KOREAN FIRST PRESBYTERIAN CHURCH

- a) At 1269 Howard Street, install a 22' white zone, extending from 11' to 33' east of west property line.
- b) Place sign on meter "Passenger Zone Sat. & Sun. only." Meter HOW 1249.

3300 SCOTT STREET - WORLD SAVINGS AND LOAN

- a) At 3300 Scott Street, install a 27' green zone, extending from 10' to 37' north of Chestnut Street.



425 MONTEREY - BAY AREA REFRIGERATION

- a) At 425 Monterey, install a 22' yellow zone, extending from 6' to 28' west of east property line.

1751-15th STREET - BUDDHIST TEMPLE

- a) At 1751-15th Street, install a 44' green zone, extending from 6' to 50' east of west property line.

439-447 POWELL STREET -SEAR'S RESTAURANT - PANDORA'S BOX

- a) At 439-447 Powell Street, revoke existing 44' red zone, extending from south building line of 439 Powell Street-44' north - leave 88' red.
- b) At 439-447 Powell Street, install a 44' white zone, extending from south building line of 439 Powell Street-44' north of same.

2881-2883 MISSION STREET - DIANDA'S ITALIAN AMERICAN BAKERY

- a) At 2881-2883 Mission Street, revoke existing 22' yellow zone, extending from 10' to 32' north of south property line.
- b) Replace with 15 minute Meters.

930 BRYANT STREET - S.F.P.D. - REVOKED

- a) At 930 Bryant Street, revoke existing 40' yellow zone, extending from east building line 40' west of same.

1563 PAGE STREET - S.F.P.D. - REVOKED

- a) At 1563 Page Street, revoke existing 31' yellow zone, extending from west building line 31' east of same.



2412 OAKDALE AVENUE - ITO CARIANI SAUSAGE -  
REVOKE

- a) At 2412 Oakdale Avenue, revoke existing  
44' yellow zone, extending from west  
property line 44' east of same.

541 HAYES STREET - FINA'S & HENRY USED FURNITURE

- a) At 541 Hayes Street, install a 22'  
yellow zone, extending from 10' to  
32' east of west property line.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REVOKE

RESOLVED, that the recommendation of  
the Traffic Bureau on the revocation of 181 feet  
of red and yellow zones, at the parts of the City,  
at the locations submitted, be, and the same are  
hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RETIREMENTS

Communications were received from the  
Retirement Board officially notifying the Police  
Commission of the retirement of the following-  
named members of the Police Department:

- a) Captain Edward J. Laherty, Support Services-  
Records Division, for service, effective  
March 10, 1980.
- b) Sergeant John Kristovich, Taraval Police  
Station, for service, effective March 12,  
1980.
- c) Sergeant Richard E. Willett, Support Services-  
Records Division, for service, effective March  
7. 1980.

The communications were ordered filed.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 165-80

BRIAN W. LEIGH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian W. Leigh against the City and County of San Francisco in the sum of \$110.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 19, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 166-80

OTILIA A. LOYA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Otilia A. Loya against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 25, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 167-80

DENNIS MARTINEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dennis Martinez against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 11, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 168-80

R. G. KERSHAW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of R.G. Kershaw against the City and County of San Francisco in the sum of \$549.34 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 25, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO.169-80

PATRICK MURPHY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patrick Murphy against the City and County of San Francisco in the sum of \$45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 27, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 170-80

MARGARET G. WINNETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margaret G. Winnett against the City and County of San Francisco in the sum of \$193.83 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 24, 1980-March 12, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 171-80

DWIGHT W. STRATTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dwight W. Stratton against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 18, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 172-80

CHRISTOPHER OWENS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christopher Owens against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 10, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 173-80

CLEAVEN PRIDE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cleaven Pride against the City and County of San Francisco in the sum of \$725.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 17, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 174-80

ROY A. HARRISON

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 370-594 of Roy A. Harrison against the City and County of San Francisco in the sum of \$107.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 175-80

JUBIN HAKIMI EBRAHIMI AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jubin Hakimi Ebrahimi against the City and County of San Francisco in the sum of \$1,194.42 in Compromise of Municipal Court Action No. 789-064 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 20, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 176-80

ROBERTO AND NORI MONGE, ROBERTA MONGE, A MINOR BY  
LAURA DAWN MONGE, HER GUARDIAN AD LITEM

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Roberto and Nory Monge, Roberto Monge, a minor by Laura Dawn Monge, her guardian ad litem in the sum of \$5,000.00 in Superior Court Action No. 728-138 entitled "Roberto and Nory Monge, Roberto Monge, a Minor, by Laura Dawn



Monge, her Guardian Ad Litem, vs. City and County of San Francisco et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 3, 1977

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez.

RESOLUTION NO. 177-80

AUTHORIZING ATTENDANCE OF CORNELIUS P. MURPHY, CHIEF OF POLICE, AND LIEUTENANT RICHARD D. KLAPP, PERSONNEL AND TRAINING, AT THE QUARTERLY MEETING OF THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING IN SACRAMENTO, CALIFORNIA, ON APRIL 24, 1980 AND APRIL 25, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Cornelius P. Murphy, and Lieutenant Richard D. Klapp, Personnel and Training, be detailed to attend the Quarterly Meeting of the Commission on Peace Officer Standards and Training in Sacramento, California, on April 24, 1980 and April 25, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Chief Murphy and Lieutenant Klapp in a sum not to exceed \$92.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 178-80

AUTHORIZING ATTENDANCE OF LIEUTENANT JOHN F. JORDAN AND INSPECTORS JEFFREY BROSCH AND MICHAEL BYRNE, INVESTIGATIONS-HOMICIDE, AT THE ANNUAL HOMICIDE INVESTIGATIONS TRAINING CONFERENCE AT SAN DIEGO, CALIFORNIA, FROM APRIL 9, 1980 TO APRIL 11, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant John F. Jordan and Inspectors Jeffrey Brosch and Michael Byrne, Investigations-Homicide, be detailed to attend the Annual Homicide Investigations Training Conference at San Diego, California, from April 9, 1980 to April 11, 1980



inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Jordan and Inspectors Brosch and Byrne, Investigations-Homicide, in a sum not to exceed \$30.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 179-80

TRAVELING EXPENSE VOUCHERS APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expense incurred in attending the below-indicated program, be, and the same is hereby approved.

Lieutenant Richard D.)	\$188.00	(P.O.S.T. Basic
Klapp )	each	(Course Revision
	)	(Consortium Workshop,
Sergeant Michael S. )		(Los Angeles, Calif-
Hebel )		(ornia, from March
		(18, 1980 to March
		(20, 1980, inclusive.

AYES: Commissioners Daly Nelder, Toler, Murphy, Sanchez

RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Daly: "I must say that it was an incredible experience the first opportunity that I had to Chair the Awards Committee. I would not make any further recommendations or upgrades on any particular award or medal. The only medal that I thought should be upgraded because it missed by one vote was upgraded during the process at the time, so I would recommend that the results of the Awards Committee be accepted by the Commission."

Commissioner Sanchez: "Fine, there is a motion for acceptance of the results of the Awards Committee."



Commissioner Murphy: "Second."

Commissioner Sanchez: "Discussion? All in favor state Aye. Unanimous Ayes.

Thank you Commissioner Daly for serving as Chairperson of the Committee."

The 30th of April was then decided upon as the date to bring the Awardees in and present them with their Medals and/or Certificates.

The issue of payment to officers for these awards arose during the discussion and Commissioner Sanchez requested Staff to prepare for next week's meeting a recommendation for the Police Commission which would allow the Commission to submit a request for a Supplemental Appropriation estimating in the request the amount of funds necessary to carry the Awards Committee over for the remainder of the fiscal year.

RESOLUTION NO. 181-80

RECOMMENDATIONS OF THE AWARDS COMMITTEE -APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, Bronze Medal, and Meritorious Conduct Award, under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, March 28, 1980:

Police Officer Daniel B. Boden.....Gold Medal of Valor  
Police Officer Robert W. Donsbach..Gold Medal of Valor  
Police Officer Peter L. Canaan.....Silver Medal of Valor  
Police Officer Charles M. Collins..Silver Medal of Valor  
Police Officer Michael T. Dempsey..Silver Medal of Valor  
Police Officer William M. Herndon..Silver Medal of Valor  
Police Officer Michael A.  
McElligott.....Silver Medal of Valor  
Police Officer Walter L. Pinosky...Silver Medal of Valor  
Police Officer Marshall E. Wong....Silver Medal of Valor



Lieutenant Charles F. Beene.....Bronze Medal of Valor.  
Sergeant James A. Dachauer.....Bronze Medal of Valor  
Police Officer Arthur L. Conger....Bronze Medal of Valor  
Police Officer Alex E. Fagan.....Bronze Medal of Valor  
Police Officer David L. Fontana....Bronze Medal of Valor  
Police Officer George F. McDonald..Bronze Medal of Valor  
Police Officer Michael W. McNeill..Bronze Medal of Valor  
Police Officer Robert P.  
O'Sullivan.....Bronze Medal of Valor  
Police Officer Larry A. Piol.....Bronze Medal of Valor  
Police Officer Patrick J. White....Bronze Medal of Valor  
Police Officer Michael E. Connors..Meritorious Conduct Award  
Inspector Clarence W. Smith.....Meritorious Conduct Award  
Police Officer Robert F. Martinez..Meritorious Conduct Award

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 182-80

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, April 9, 1980; and

WHEREAS, Chief of Police Cornelius P. Murphy, has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officers Daniel B. Boden and Robert W. Donsbach, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each, as provided for under said section of the Charter; and be it further



RESOLVED, that Police Officers Peter L. Canaan, Charles M. Collins, Michael T. Dempsey, William M. Herndon, Michael A. McElligott, Walter L. Pinosky, and Marshall E. Wong, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Lieutenant Charles F. Beene, Sergeant James A. Dachauer, Police Officers Arthur L. Conger, Alex E. Fagan, David L. Fontana, George F. McDonald, Michael W. McNeill, Robert P. O'Sullivan, Larry A. Piol, and Patrick J. White, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Inspector Clarence W. Smith and Police Officers Michael E. Connors and Robert F. Martinez, be, and they are hereby awarded Meritorious Conduct Awards, and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez stated that he just wanted to thank Staff for their attention and fact finding during the Commission's Charter Revision Hearings here pertaining to the San Francisco Police Department. He said the work was done in a superb manner and members of the Commission did have a chance to make a final review of it prior to sending it. So, he said, the Commission does thank the Chief and his Staff and Lieutenant Frazier for their participation in this very important process of the Charter Amendment Revisions.

At this time Commissioner Murphy commented on the area of Pine Street from Market to Fillmore in that there are almost no markings indicating the traffic lanes thereon. She said it is really dangerous and could be considered a police problem. She said she would like the Commission to send a letter to the Department of Public Works and ask them to paint in the lines which designate the lanes on Pine Street between those two points of reference, and further, if necessary. The



other place she stated which is also very bad is on Third Street as you cross Market into Kearny, and there again she stated that there are absolutely no markings for the different traffic lanes. She said that once in a while you will see very vague or faded out white lines where they were once intended to be thereby creating a very hazardous Police Traffic problem. She then made a motion to send a letter to Mr. Jeffery Lee of the Department of Public Works itemizing those areas that should be given immediate attention.

The motion was seconded by Commissioner Nelder and then unanimously approved.

She then mentioned the upcoming June Ballot which contains Proposition 9 or the Jarvis II proposal which she said was going to be absolutely devastating if it passes.

Commissioner Sanchez stated that other Boards and Commissions, not only in this area but in other cities also, have taken a stand on the probable effects of Proposition 9. He said if this Commission so deemed it and feels that it is of utmost importance to the survival of our Urban Areas and other key service programs throughout the state, maybe it would be proper for a motion to be made to put it on calendar for a public discussion at the next meeting.

The matter was then motioned and seconded to place on the Police Commission Calendar under the Police Commission's Report.

Commissioner Murphy then informed the Commission members of an article she had received from her daughter from the Washington Post, Washington, D.C., comparing the Police Services there with those of San Francisco. She said they have twice as many police officers as San Francisco, they are paid more and under emergency conditions are able to call upon the Capitol Police Force to augment their efforts. She said she felt it might be very useful in discussions on the San Francisco Police Department's Budget with the Finance Committee.

On another subject Commissioner Daly stated that she had been observing the daily serious incident reports and has just now been able to determine from that report victims who are Gay, victims who are senior citizens and victims who are of minority groups. She said it occurred to her, during the past two weeks, what she considered was of a serious nature where the Police Commission at it's last meeting passed a Supplemental Appropriation to fund the Senior Citizens Escort Program and from the daily serious incident reports it seemed that very few senior citizens were being mugged, robbed, burglarized or raped. She said what she



would like to know is if all of the fear about crime against senior citizens is really justified. She then asked the Chief if he could obtain statistics from the first quarter of this year to see how many senior citizens are really victimized. She said the reason she is bringing this up is because she thinks the city is about to spend an incredible amount of money and that she wants to make certain that it is well placed.

Chief Murphy stated that he would look into it and have a report for the Commission at its next meeting.

Commissioner Nelder then stated that before leaving this item on the calendar that he wanted to go back to what he had been talking a lot about and that is the traffic situation in San Francisco. He said regrettably he had seen where an elderly gentleman of some 93 years had been struck and killed by a hit-and-run driver last week and that he personally felt that the best way to combat the traffic situation in a city such as this is the use of solo/motorcycles. He said the Department is looking to October for the implementation of the Grant the Department had earlier requested wherein it would provide for 20 additional solos. He said he knew that the Department at this time is shorthanded as far as the solos are concerned, but that he wanted to say that they were doing a good job. He said he was particularly observant because he felt very keenly that the city could return to where it used to be as far as safety is concerned.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy: "No report tonight Commissioners."

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 1237 THEREOF, PROVIDING FOR PERMITS FOR DEALERS IN USED AUTOMOBILES, AUTO PARTS AND ACCESSORIES TO BE ISSUED AND REVOKED BY THE CHIEF OF POLICE.  
(CONTINUED FROM THE MEETING OF MARCH 26, 1980)

Chief Murphy: "Captain Rosko of Southeast Station will speak to that issue."

Captain Rosko: "Commissioners, it is really my pleasure to be here. I am the Commanding Officer



of Southeast Station and I assume that is why I am here because where do you find all of the Auto Dismantlers, where do you find all of the parts? The Southeast District. Right now, currently, the Police Department hears, issues and enforces approximately 80 different various types of permits. The Dismantlers Permit which is also a Second-Hand Dealers Permit, in a sense, because a Dismantler gets a permit to do one thing, to get parts from the vehicles to sell. So a Dismantler must go to the Chief of Police under the present ordinance to get a permit. Then he turns around and has to go before the Commission to pick up his Second-Hand Dealers Permit for autos, accessories, batteries, whatever, so this is kind of a complicated superfluous thing. And I think we can streamline a lot of this by just giving this authority to the Chief of Police, I think it belongs there. Now going back to the Auction Deal again, right now the Chief receives reports from an Auctioneer and he must receive those within 24 hours itemizing certain statements on articles that are sold, and if there are any violations then the Commission must suspend or revoke. Again, one authority is to the Chief and the other to the Commission. I highly recommend the total responsibility and authority be given to the Chief of Police."

After further discussion Commissioner Nelder moved for approval and Commissioner Toler seconded it and it was unanimously approved.

RESOLUTION NO. 183-80

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 1237 THEREOF, PROVIDING FOR PERMITS FOR DEALERS IN USED AUTOMOBILES, AUTO PARTS AND ACCESSORIES TO BE ISSUED AND REVOKED BY THE CHIEF OF POLICE.

WHEREAS, the Chief of Police conducts permit hearings to determine whether various permits shall be issued or revoked; and

WHEREAS, the Police Commission is currently charged by law with issuing and revoking permits for Second-Hand Dealers in used automobile parts and automobiles, and for auctioneers and auction rooms; and

WHEREAS, to bring the permit issuing authority in line with other sections of the San Francisco Municipal Police Code; therefore be it



RESOLVED, that the attached proposed ordinances amending Sections 1237, 1243, 1248, 1250, 1251 and 1254 of said Police Code be forwarded to the City Attorney for approval as to form and thence to the Board of Supervisors with a request for adoption by the Board.

(Copy on file in the Office of the Police Commission.)

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR THE PURCHASE OF 1,364 U.S. ARMY M17 CHEMICAL AGENT MASKS.

During the discussion on this item Commissioner Daly stated that the thing that disturbed her about this request is that it is based on the May 21st and 22nd riots. She said the amount of money involved could be used to save 4 or 5 civilian jobs in this city at a time when economic depression is upon us.

Commissioner Nelder said that what Commissioner Daly said makes a great deal of sense but when an incident occurs the Department should be properly equipped. He said he did not feel that it had anything to do with the May 21st incident. He pointed out other situations wherein this equipment would be vitally necessary in overcoming adversities in dealing with the various criminal and non-criminal emergency situations.

RESOLUTION NO. 180-80

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR THE PURCHASE OF 1,364 U.S. ARMY M17 CHEMICAL AGENT MASKS.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation to transfer \$67,986.00 from the Sworn Salary Line to the Safety Supplies Account (1377) for purchase of 1,364 U.S. Army M17 Chemical Masks.

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NAYS: Commissioner Daly



SETTING OF DATE FOR A PUBLIC HEARING REGARDING  
CHANGE OF DISTRICT STATION BOUNDARIES, SOUTHEAST/  
INGLESIDE - CONTINUED ONE WEEK

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

SETTING OF DATE FOR A PUBLIC HEARING RELATIVE  
TO PROPOSED GENERAL ORDER REGARDING THE CONSENT  
DECREE - CONTINUED FOR TWO WEEKS

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

PUBLIC HEARING RELATIVE TO RESTRICTION OF POLITICAL  
ACTIVITIES BY MEMBERS OF THE SAN FRANCISCO POLICE  
DEPARTMENT. - CONTINUED FOR ONE WEEK.

Lieutenant Trueb of the Legal Office, appeared and spoke regarding this item. He stated that he would like for it to be continued for one week. He said the reason being is that he had some concern in some of the language which was proposed in the resolution in which the Commission now has before it. He said it should be re-worded to include a phrase which prohibits this type of activity while off duty but in uniform. He said also in the portion of the resolution the additional part of the Rule 2.113.1, staff neglected to use the words Police Facility.

The matter was then continued for one week.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

PUBLIC HEARING ON THE ISSUANCE OF AN AUCTIONEER  
PERMIT, 130 POTRERO AVENUE, SAN FRANCISCO

Mr. George, the applicant, appeared and stated that he had gone through the normal permit process and was now appearing before the Commission for final approval.

He said that his particular auction would be conducted to sell antiques at 130 Potrero Avenue on Saturday, the 26th and Monday, the 28th of April.

The matter was then approved.



RESOLUTION NO. 184-80

PUBLIC HEARING ON THE ISSUANCE OF AN AUCTIONEER PERMIT

WHEREAS, the Police Commission on April 9, 1980, heard the application of Brian V. George for the issuance of an Auctioneer Permit at 130 Potrero Avenue, in the City and County of San Francisco; and

WHEREAS, applicant appeared in person and presented oral testimony in support of his application; and

WHEREAS, written recommendations of approval were submitted from Mission Police Station, and other appropriate City agencies; therefore be it

RESOLVED, that the Police Commission in accordance with the provisions of Sections 1250 to 1253 of the San Francisco Municipal Code (Police Code) does hereby grant to Brian V. George an Auctioneer's Permit, at 130 Potrero Avenue, in the City and County of San Francisco.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Mr. Peter Diannopoulos, Commander of Veterans of Foreign War Post, requested to speak and stated that in the area of Capp and 20th Streets he would like to know what could be done to enhance the safety of children going to and from and playing at the park. He said that this area has become one of the most dangerous areas in the City. He stated that children go there because there is no other place they can go and there are hazards such as broken glass, dog feces, auto repairing on the streets and sidewalks, loud horns, blaring radios and speeding cars, especially from 19th to 20th on Capp. He said there have been many, many close calls where children were almost hit by these speeding vehicles. He said there should be signs posted stating, "No Dogs allowed in the Park, No Loitering, and enforcement of laws against auto repairing on the streets, and speed violations.

Commissioner Sanchez then thanked Mr. Diannopoulos for bringing the matter to the Commission's attention and the meeting was then adjourned.



The Commission then adjourned its  
meeting at 1839 hours.

Nellie E. Fagan  
SECRETARY

10



16 APRIL 1980

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 16, 1980 at 1700 hours in regular session.

PRESENT: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

DOCUMENTS DEPT.

MAY 23 1980

Commissioner Sanchez presiding.

SAN FRANCISCO  
PUBLIC LIBRARY

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

3698-17th STREET - RELIABLE STOVE EXCHANGE

- a) At 3698-17th Street, install a 22' yellow zone, extending from 33' to 55' west of east property line.

1582 FOLSOM STREET - HAMBURGER MARY'S

- a) At 1582 Folsom Street, install a 22' white zone, extending from 23' to 45' east of 12th Street.

289-12th STREET - HAMBURGER MARY'S

- a) At 289-12th Street, install a 22' yellow zone, extending from 22' south of north property line.

1300 DOLORES STREET - PAPA'S INC.

- a) At 1300 Dolores Street, install a 22' green zone, extending from north property line 22' south of same.



891 PIERCE STREET - 3rd BAPTIST CHURCH INC.

- a) At 891 Pierce Street, install a 44' white zone, extending from 10' to 54' south of north property line.

855 BATTERY STREET - KPIX 5

- a) At 855 Battery Street, install a 47' green zone, extending from 12' to 59' south of north property line.
- b) At 855 Battery Street, install a 31' white zone, extending from 59' to 90' south of north property line.

825 BATTERY STREET - KPIX 5

- a) At 825 Battery Street, install a 44' green zone, extending from 10' to 54' north of south property line.
- b) At 825 Battery Street, install a 25' yellow zone, extending from 54' to 79' north of south property line.

317 LEAVENWORTH STREET - BURBANK HOTEL

- a) At 317 Leavenworth Street, revoke existing 27' yellow zone, extending from 25' to 52' north of Eddy Street.
- b) At 317 Leavenworth Street, install a 28' white zone, extending from 22' to 50' north of south property line.

301-345 JACKSON STREET - U.S. IMMIGRATION -  
U.S. CUSTOM HOUSE

- a) At 301-345 Jackson Street, revoke existing 103' white zone, extending from 10' to 113' west of Battery Street.

AYES: Commissioner Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly



REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 130 feet of yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Lieutenant Robert E. Pursley, Park Station, for service, effective April 1, 1980.
- b) Lieutenant Stephen B. Spelman, Richmond Station, for service, effective March 19, 1980.

The communications were ordered filed.

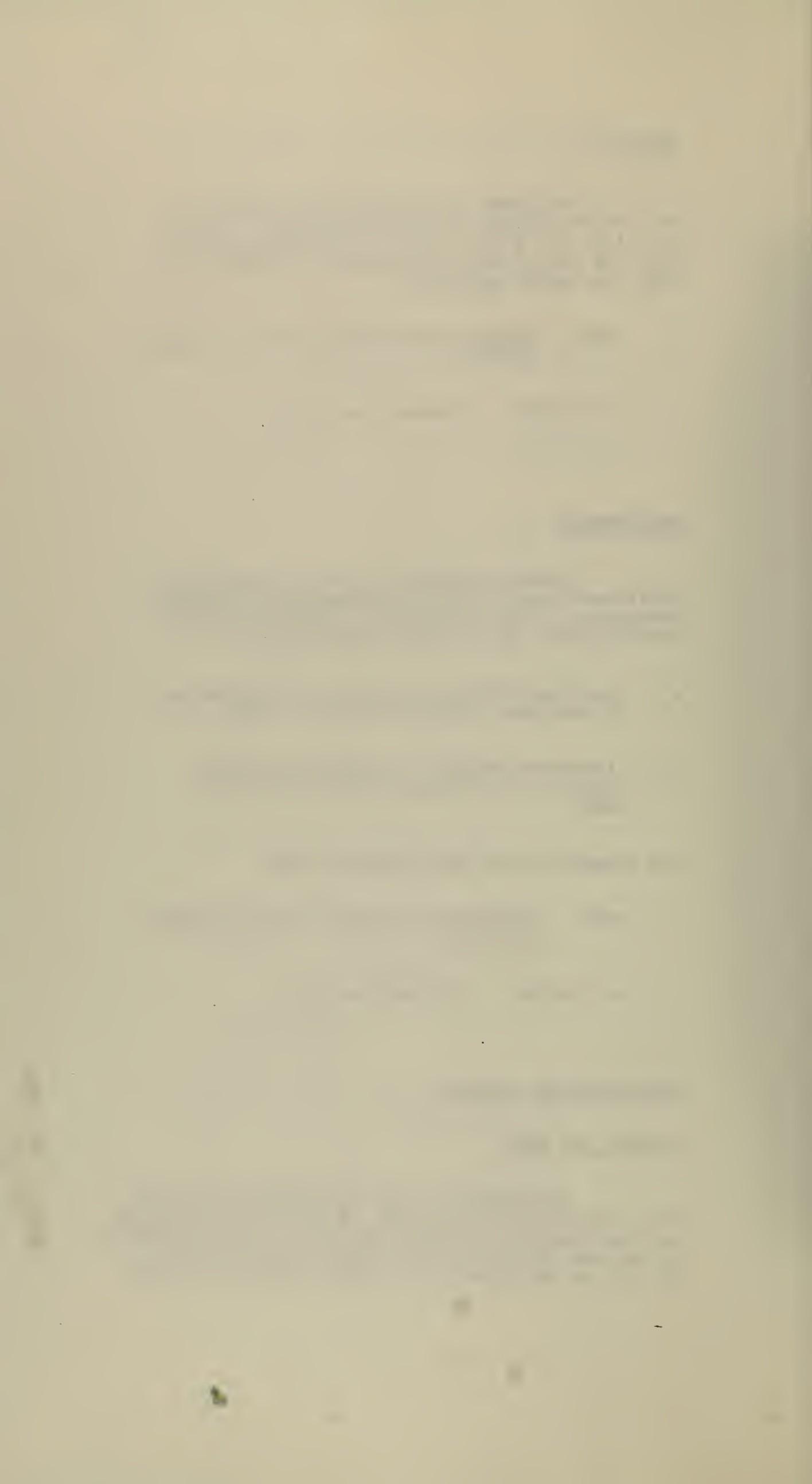
AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

RESOLUTION NO. 185-80

CHESTER LEE HAYS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chester Lee Hays against the City and County of San Francisco in the sum of \$950.00 in Superior Court Action No. 683-533 as the result of a collision with a police



vehicle, be, and the same is hereby approved.

Date of Accident: December 29, 1973

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

RESOLUTION NO. 186-80

J & H AUTO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the J & H Auto against the City and County of San Francisco in the sum of \$41.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 17, 1980

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

RESOLUTION NO. 187-80

FARMERS INSURANCE GROUP (ROD TETER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Farmers Insurance Group (Rod Teeter) against the City and County of San Francisco in the sum of \$3,342.70 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 4, 1979

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly



RESOLUTION NO. 188-80

MARLENA J. LYNCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marlena J. Lynch against the City and County of San Francisco in the sum of \$1,750.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 19, 1980

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

RESOLUTION NO. 189-80

BEVERLY MORGAN AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beverly Morgan and her attorney against the City and County of San Francisco in the sum of \$50.00 in Municipal Court Action No. 778-229 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 20, 1978

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

RESOLUTION NO. 190-80

AUTHORIZING ATTENDANCE OF POLICE OFFICERS ROY SULLIVAN AND FRED LAU, POLICE ACADEMY, AT THE CRIMINAL LAW AND PROCEDURES SEMINAR IN SAN FRANCISCO ON APRIL 27, 1980.

RESOLVED, that the recommendation of



the Chief of Police that Police Officers Roy Sullivan and Fred Lau, Police Academy, be detailed to attend the Criminal Law and Procedures Seminar in San Francisco, on April 27, 1980, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officers Sullivan and Lau, in a sum not to exceed \$25.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

NOT VOTING: Commissioner Daly

RESOLUTION NO. 191-80

AUTHORIZING ATTENDANCE OF POLICE OFFICER FRED LAU, POLICE ACADEMY, AT THE CRIMINAL LAW UNIT GUIDE REVISION WORKSHOP IN SANTA MARIA, CALIFORNIA, FROM APRIL 23, 1980 TO APRIL 24, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Fred Lau, Police Academy, be detailed to attend the Criminal Law Unit Guide Revision Workshop in Santa Maria, California, from April 23, 1980 to April 24, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that all expenses incurred by Officer Lau, will be directly reimbursed to him by P.O.S.T.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

NOT VOTING: Commissioner Daly

RESOLUTION NO.192-80

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor



of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of April, 1980.

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

POLICE COMMISSION REPORT (DISCUSSION RELATIVE TO PROPOSITION 9)

Commissioner Sanchez: "At this point we have a motion and a second pertaining to the San Francisco Police Commission not supporting Proposition 9 and going on record to that effect at this point. So we were going to vote at this meeting and have an initial or follow-up discussion pertaining to that. Is there any discussion from the Commission, or from the Chief, or anyone, pertaining to the item before us now which pertains to the Commission's stand on a vote "no" on 9? Chief Murphy?"

Chief Murphy: "I am wholeheartedly in support of that position and I certainly recommend not only the Police Commission, but anybody involved in city government today, to not support Proposition 9. We are talking about a budget cut in the city without Proposition 9 and with Proposition 9, should that pass, why it would be absolutely disastrous to the City and County of San Francisco and to government throughout the State of California, so I would certainly urge a no vote on Proposition 9 and recommend the Commission do so also."

Commissioner Sanchez: "Okay, if there is no further discussion, I will call for the question, all in favor of opposing Proposition 9 state aye."

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

Commissioner Sanchez: "Okay, it is unanimous and we will let this be known. Thank you. Is there anything else under the Police Commission Report? If not, we will move on to item #4."



RESOLUTION NO. 211-80

OPPOSING PASSAGE OF PROPOSITION NO. 9, A BALLOT MEASURE GOING BEFORE THE ELECTORATE ON JUNE 3, 1980.

RESOLVED, that the Police Commission's position for the record as being officially opposed to State Proposition No. 9, be, and the same is hereby approved.

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy: "I have no report tonight, however I would be happy to answer any questions from the Commission."

Commissioner Sanchez: "Commissioner Toler, I believe, has a question or comment."

Commissioner Toler: "I just want to say to the Chief that I enjoyed reading a letter last week that one of the Ministers of the City wrote to the Department and to you commanding you on the fine work of the Department during the hostage situation in the Hunterspoint Area. I think it was appropo and well-fitting and I am glad to see this kind of thing happen."

Chief Murphy: "Thank you. Also that minister out in the Southeast that wrote the letter followed up with a telephone call which was very thoughtful of him."

Commissioner Murphy: "Commissioner Daly asked for this and maybe you want to hold it over, but I thought it was very interesting. This is the report on the number of incidents happening to Senior Citizens and becoming victims of various crimes. I thought it was very interesting, for example, in January there were no homicides. Fortunately, but there was one rape which was 1.4% of the senior population, and on-street robberies consisted of 9.5% incidents among senior citizens, 2.5% of aggravated assault, 13.7% of pickpockets and 15.2% of purse snatching. It seems to me that's relatively low, or would you consider it so?"

Chief Murphy: "I would say that proportionate to the number of seniors that it is not an outlandish figure, that it doesn't show that the victims are actually being victimized."



Commissioner Murphy: "Even the 15.2% doesn't seem to be exorbitant because they are a group that are easily attacked or hurt."

Chief Murphy: "This report is somewhat misleading in the sense that seniors, and we are talking about our report here, which indicates ages of 65 and over, and in other qualifications for funding we are talking about people 50 years and over."

Commissioner Murphy: "Well, even at that it still makes them even lower in a sense, because you are talking about a much larger population."

Commissioner Sanchez: "Yes, I would also like to comment on this. I think that it certainly gives us a little more understanding of the range of instances and age brackets but I think, again the bottom line, at least as far as interpretation for the Commission and law enforcement agencies, is these are, in fact, reported instances and the concern I know that all of us have here on the Commission, as far as prevention and whatever, are those great many instances that are never reported and believe me we see a great many at San Francisco General both in reference to senior and children that are never reported and they do not want to report them. And I know that there are many organizations, Senior Citizen Organizations and clubs where, in essence, I am sure, if we send out a questionnaire and had a ranking of this we could probably increase our information bank to give us a much wider distribution. Nonetheless, I think the fact that it was factored out this way does give us more insight into this area and I think the job was well done pertaining to that."

Commissioner Murphy: "And it shows also the places where it is more likely to happen, for example, the Northern with 14 on-street robberies. That, of course, is a part of the Tenderloin and Hayes Valley which would be a dangerous place for anyone to be, but particularly so for old people. It was an interesting report and a good one."

Commissioner Sanchez: "Thank you Chief, could we go on to the next item Lieutenant?"

PETITION FROM MEMBERS OF SOUTHEAST POLICE STATION REQUESTING THAT THE NAME OF SOUTHEAST POLICE STATION BE DELETED, AND THAT THE STATION BE RENAMED POTRERO POLICE STATION.

Lieutenant Frazier: "An Officer Schmidt telephoned



the Police Commission Office this date and stated that he was the spokesperson for this item and that he was not quite ready to approach the Commission on the subject as there were various segments of the Community that had not been contacted and allowed to have input to the proposal. He requested a continuance to allow for further preparation of his presentation."

Commissioner Sanchez stated that he was wondering if the Department has any policy in operation which clarifies, or gives a procedure, in the naming of various stations. He said, as an example, a number of years ago when he was on the Building and Grounds Committee for the School Board they had rules and regulations pertaining to the naming of schools and any time there was a variance, or request, such as the McAteer request for the High School, this required almost 6 or 7 months of hearings and review with City Attorneys as far as their own internal procedures. He said he was just wondering if perhaps Staff could review what the process and procedure is for the naming of these stations.

Commissioner Nelder then stated that actually this transcended over a great many years. He said years ago, before Communications and transportation became so practical there were something like 27 police stations in San Francisco. Later it was reduced to 21 and then to 14 when he joined. He said the names originated by bringing in the Districts. He said, basically, what it tried to identify was the section of San Francisco which related to the area, but that has now kind of disintegrated to some degree and the reason for Potrero being named the Southeast is because the people out there, particularly the people that were active in Police Community Relations felt that it was identifying the district as being a rough district and they were really working hard to upgrade the neighborhood and thought it more practical to use the word Southeast. But like everything now there are those who feel they should come back and rename it the Potrero.

Commissioner Murphy then stated that Supervisor Don Horanzy has gone on record as being against it.

Commissioner Nelder stated that it might be worthwhile to put this matter over until such time as a representative comes in and explains to the Commission the reason for the request to change the name.

The Commissioners then decided to hold the matter



over for 30 days to allow Department Staff to get more community input as to their feelings regarding the requested change.

PUBLIC HEARING RELATIVE TO RESTRICTION OF POLITICAL ACTIVITIES BY MEMBERS OF THE SAN FRANCISCO POLICE DEPARTMENT. (CONTINUED FROM THE MEETING OF APRIL 9, 1980)

Deputy Chief Shannon stated that this item merely brings the Department rules into line with those of the State Law. He said that whereas the city does not have a specific rule to provide for this, the Department is, therefore, placing this rule in its rule book.

Commissioner Murphy then moved for approval and it was seconded by Commissioner Toler and then unanimously approved.

RESOLUTION NO. 195-80

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - AMENDED

RESOLVED, that effective at 0001 hours, Thursday, April 17, 1980, the following amendment to the Rules and Procedures of the San Francisco Police Department, be, and the same is hereby approved:

AMENDING

RULE 2.113 Shall not participate in any political activity while on duty, or in uniform.

ADD

RULE 2.113.1 Shall not place at any time any politically-oriented matter in or on any police building, office, facility, or vehicle.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

NOT VOTING: Commissioner Daly



PUBLIC HEARING REGARDING CHANGE OF DISTRICT STATION  
BOUNDARIES, SOUTHEAST/INGLESIDE

Chief Murphy said this merely removes the area west of McLaren Park where the district boundaries extended down to Naples Street and is transferred from the Southeast District over to the Ingleside District. He said it is a residential neighborhood, homogenous with the existing boundaries of the Ingleside District, and that it just makes better sense to have it all over there. He said officers responding from the Southeast to answer a call to that area have a limited access being able to only come up Geneva Avenue or up over the Hill. He said this is time consuming and effects the Southeast Station's ability to respond in an appropriate response time."

Commissioner Nelder then stated that this matter just brings the districts into uniformity and he moved that it be approved. It was then seconded by Commissioner Murphy and unanimously approved.

RESOLUTION NO. 194-80

CHANGE OF DISTRICT BOUNDARIES - SOUTHEAST/INGLESIDE-  
APPROVED

RESOLVED, that, in accordance with the recommendations of Cornelius P. Murphy, Chief of Police, effective Thursday, May 1, 1980, the boundaries of the below-named stations are as follows:

Company C - Southeast Police District

Commencing at the intersection of the center lines of Sixteenth Street and the waters of the San Francisco Bay; thence southerly along the waters of the San Francisco Bay to the intersection with the San Mateo County Line; thence westerly along the San Mateo County Line to the intersection with the center line of Geneva Avenue; thence westerly along the center line of Geneva Avenue to the eastern boundary of the Crocker-Amazon Playground; thence northerly on the eastern boundary of the Crocker-Amazon Playground to the center line of LaGrande Avenue; thence northerly on the center line of LaGrande to the center line of Persia Avenue; thence easterly on the center line of Persia Avenue to its intersection with Brazil Avenue; thence westerly on the center line of Brazil Avenue to the center line of LaGrande; northerly on LaGrande to the center line of Burrows Street; thence easterly on Burrows Street to the center line of Harvard Street; thence southerly on the center line of Harvard Street to the center line of Bacon Street; thence easterly on the center



line of Bacon Street to the center line of Oxford; thence southerly on the center line of Oxford Street to the center line of Wayland Street; thence easterly on the center line of Wayland Street to the center line of Cambridge Street; thence northerly on the center line of Cambridge Street to the center line of Silver Avenue; thence easterly along the center line of Silver Avenue to the center line of Bowdoin Street; thence northerly along the center line of Bowdoin Street to the center line of Alemany Boulevard; thence northeasterly along the center line of Alemany Boulevard to the west line of the James Lick Memorial Freeway to the south line of Army Street; thence northerly and easterly along the center line of the Freeway to the center line of Sixteenth Street; thence easterly along the center line of Sixteenth Street to the waters of the San Francisco Bay and the point of commencement.

Company H - Ingleside Police District

Beginning at a point where the center line of Alabama Street intersects the center line of Army Street; thence westerly along the center line of Army Street to the center line of Portola Drive; thence westerly along the center line of Portola Drive to the center line of Junipero Serra Boulevard; thence southerly along the center line of Junipero Serra boulevard to the San Mateo County Line; thence easterly along the San Mateo County Line to the center line of Geneva Avenue; thence westerly along the center line of Geneva Avenue to the most easterly boundary of the Crocker-Amazon Playground; thence northerly along the Crocker-Amazon boundary to the center line of LaGrande Avenue; thence northerly along the center line of LaGrande Avenue to the center line of Persia Avenue; thence easterly along the center line of Persia Avenue to the intersection with the center line of Brazil Avenue to the center line of LaGrande Avenue; thence northerly along the center line of LaGrande Avenue to the center line of Burrows Street; thence easterly along the center line of Burrows Street to the center line of Harvard Street; thence southerly along the center line of Harvard Street to the center line of Bacon Street; thence easterly along the center line of Bacon Street to the center line of Oxford Street; thence southerly along the center line of Oxford Street to the center line of Wayland Street; thence easterly along the center line of Wayland Street to the center line of Cambridge Street; thence northerly along the center line of Cambridge Street to the center line of Silver Avenue; thence easterly along the center line of Silver Avenue to the center line of Bowdoin Street; thence northerly along the center line of Bowdoin Street to the center line of Alemany Boulevard; thence northeasterly along the center line of Alemany Boulevard to the west boundary of the James Lick Memorial Freeway; thence northeasterly along the west boundary of the Freeway to the center line of Army Street; thence westerly along the center line of Army Street to the center line of Alabama Street to the point of commencement.

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly



SETTING OF A DATE FOR A PUBLIC HEARING RELATIVE TO THE PROPOSED GENERAL ORDER CONCERNING "GROOMING STANDARDS FOR FEMALE OFFICERS." CONTINUED FOR TWO (2) WEEKS.

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AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY, ACCEPT, AND EXPEND DISCRETIONARY FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE - LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, FOR A PROJECT ENTITLED "PROPERTY CRIMES PREVENTION PROJECT."

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Lieutenant Vernon McDowell spoke to the Commission on this item and stated that he was in charge of the Property Management Project which is commonly known as the "Sting." He said the unit has been in operation now for 3 years and during this period they had recovered over \$3,500,000 dollars worth of stolen property and made over 500 arrest. He said they have also been very successful in setting up the program where they video-tape thieves who come into the various operations that the unit has and because of said program the unit has a 98.5% rate of convictions in court. He said he recommends the continuation of this program.

A motion for approval was then made by Commissioner Toler and seconded by Commissioner Murphy and it was unanimously approved.

RESOLUTION NO. 193-80

AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY, ACCEPT, AND EXPEND DISCRETIONARY FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE - LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, FOR A PROJECT ENTITLED "PROPERTY CRIMES PREVENTION PROJECT."

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RESOLVED, that the Police Commission does hereby authorize the Chief of Police to apply for, accept and expend funds granted by the Law Enforcement Assistance Administration for the continuation of the Property Crimes Prevention Project; and be it further

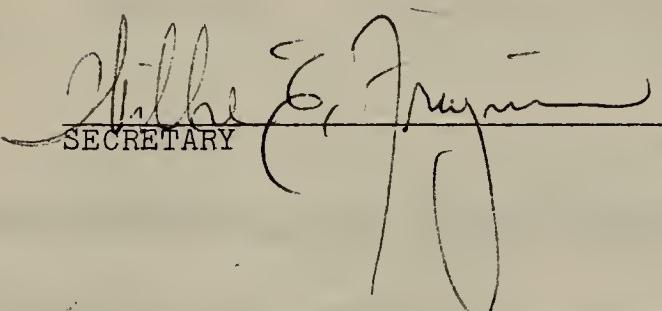


RESOLVED, that the Police Commission does hereby request the Board of Supervisors to authorize the Chief of Police to apply for, accept and expend funds for the continuation of the Property Crimes Prevention Project.

AYES: Commissioners Nelder, Toler, Murphy,  
Sanchez

NOT VOTING: Commissioner Daly

The Commission then adjourned its meeting at 1730 hours.

  
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SECRETARY



23 APRIL 1980

REGULAR MEETING

*- Minutes*  
The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, on Wednesday, April 23, 1980, at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

DOCUMENTS DEPT.

JUN 10 1980

Commissioner Sanchez presiding.

CHIEF POLICE  
PUBLICATIONS

The Commissioners, having received, amended and returned copies of the minutes of the meetings of March 5, 1980 and March 12, 1980, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler

RECOMMENDATION OF THE TRAFFIC BUREAU

Sergeant Newlin, Traffic Survey Division: "Commissioners, on item #8 we have Mrs. Gladys Jefferson here to speak on the Day Care Center and having just met Mrs. Jefferson, I would like to change the police recommendation from one of denial to grant. I feel that it can be recommended to grant."

Commissioner Sanchez: "Mrs. Jefferson, did you wish to speak against the Department's recommendation of approval or denial?"

Mrs. Jefferson: "No."

Commissioner Murphy: "How many children do you have during the day?"

Mrs. Jefferson: "I have 10 children and in September I will have 12 and my daughter is getting her degree"



in February 1981, and we will then petition the city to allow it to become a school, so we will have 20 children at that time."

Commissioner Murphy: "There is the other day care center next door. How many children do they have?"

Mrs. Jefferson: "7."

Commissioner Murphy: "So there are 17 children as of now who would use this space?"

Mrs. Jefferson: "Yes."

Commissioner Sanchez: "Thank you Mrs. Jefferson."

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the instaalation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1885-18th AVENUE - THE COWBOY FARMERS MARKET

- a) At 1885-18th Avenue, -install a 27' yellow zone, extending from south end of driveway 27' north of same.

1110 ORTEGA - MAYNARD WERNER

- a) At 1110 Ortega, install a 22' green zone,extending from east property line 22' west of same.

304-4th AVENUE - HARDWARE UNLIMITED

- a) At 304-4th Avenue, install a 22' yellow zone, extending from south property line 22' north of same.

1716-1718 WALLER STREET - VETERAN CENTER

- a) At 1716-1718 Waller Street, install a 22' blue zone, extending from west building line 22' east of same.



259 CLARA STREET - STEPHEN RAHN PHOTOGRAPHERS

- a) At 259 Clara Street, install a 22' green zone, extending from 18' to 40' east of west building line.
- b) Revoke existing 54' yellow zone, extending from 18' to 72' east of west building line.

3610 LAWTON STREET - BENJAMIN'S CUSTOM DRAPERIES

- a) At 3610 Lawton Street, install a 22' green zone, extending 22' east of west property line.

362 COLUMBUS AVENUE - S.F.P.D.- REVOKED

- a) At 362 Columbus Avenue, revoke existing 18' yellow zone, extending from 9' to 27' south of the north property line.

583-585-2nd AVENUE - GLADY'S DAY CARE CENTER

- a) At 583-585- 2nd Avenue, install a 22' white zone, extending from south property line 22' north of same.

2868 MISSION STREET - FRIENDS OF THE MISSION CULTURAL CENTER - DENIED

- a) At 2868 Mission Street, install a 22' yellow zone, extending from 12' to 34' north of south property line. DENIED.
- b) Remove meter #2836. DENIED.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 72 feet of yellow



zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 196-80

CALIFORNIA STATE AUTOMOBILE ASSOCIATION  
(KITT AND ANNIE CRENSHAW)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Kitt and Annie Crenshaw) against the City and County of San Francisco in the sum of \$1,000.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 19, 1977

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 197-80

JACQUES DE BRER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jacques De Brer against the City and County of San Francisco in the sum of \$650.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 5, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



RESOLUTION NO. 198-80

MARY O'LAGUE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary O'Lague against the City and County of San Francisco in the sum of \$41.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 199-80

DIANE PADYS AND ST. PAUL INSURANCE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Diane Padys and the St. Paul Insurance Company against the City and County of San Francisco in the sum of \$1,296.60 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 17, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 200-80

AUTHORIZING ATTENDANCE OF INSPECTOR LLOYD W. CUNNINGHAM, INVESTIGATIONS, AT THE QUESTIONED DOCUMENTS COURSE CONDUCTED BY THE U.S. TREASURY DEPARTMENT, WASHINGTON, D.C., FROM MAY 4, 1980 TO MAY 16, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the



Chief of Police that Inspector Lloyd W. Cunningham, Investigations, be detailed to attend the Questioned Documents Course conducted by the U.S. Treasury Department, Washington, D.C., from May 4, 1980 to May 16, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Cunningham, in a sum not to exceed \$1,145.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

POLICE COMMISSION REPORT

Commissioner Sanchez: "Next item #4, the Police Commission Report, for the record let me just state that the Police Commission met in Executive Session at 1600 hours, this afternoon, and no action or vote was taken. Is there any other comments from the Commissioners on this item?"

Commissioner Murphy then commented on an article in the San Francisco Examiner regarding the Stanford Research Institutes' Report on the May 21st and 22nd Riots and its recommendations to re-institute a Community Relations Unit and improve the intelligence gathering function of the Intelligence Unit.

Chief Murphy responded by saying that the Commissioners had a draft of a proposal for a Community Relations-type Unit and that he and the Commissioners were going to have to sit down and collectively go over the results of their review of the proposal's contents. He said whatever involves the inner-workings of the Intelligence Unit is not a matter for public discussion.

Commissioner Sanchez then stated that the article cited the report as being reviewed by the Police Committee, a sub Committee of the Grand Jury, and that this Committee was meeting with various members of the Department and will be meeting with some or all of the Commissioners pertaining to the recommendations of the SRI Report.



Commissioner Daly then mentioned as a point of information for the Department and other Commissioners that on Saturday night, April 26, 1980, at 10:00 p.m., CBS is going to air what will be the most inflammatory anti-Gay, probably anti-police news report ever made. She said the producers have taken segments and pieces of film footage portraying probably the most inaccurate picture of the relationship between Gays in San Francisco, the Police and Politics. She said the Police Department should be well aware of it, and its going to bring about incredible reactions in this city and probably throughout the country. She said she read the script and met with the Mayor and would do anything in the world they could to stop it because it is absolutely and totally inaccurate. She said what they have done was to put together a really ugly picture of all of San Francisco's citizens together. She said the leaders of this city should be ready to respond and be ready for a public response from all citizens, parents and teachers. She also stated that in one scene there is a person who stated that he is a paid consultant to the San Francisco Police Department on S&M methods.

Commissioner Sanchez said that there are concerns throughout, about either stereo-typing or mis-information, or lack of same, and that the Department is aware of those concerns and shall carry a consistent posture towards this matter as it would in any other type of situation which perpetuates stereo-types. He continued by saying that at the same time as a member of the Commission, a resident and a parent, there is always the option of not to turn on the TV at all. He said that he would hope that most San Franciscans would have enough going for them as far as their own values and systems to turn off something they feel is totally reprehensible.

Commissioner Murphy stated that she thought it was very serious for this individual to claim that he is a consultant to the San Francisco Police Department and something should be done about that.

Chief Murphy responded by saying that the person is not, nor has he ever been, a consultant to the San Francisco Police Department.

Commissioner Daly then stated that she would like to add one more comment in that she had not seen the show but that she had read the entire script and part of the script was Mayor Feinstein's promise to appoint a Gay Police Chief.



On another subject Commissioner Nelder mentioned the tree traffic fatalities that occurred at the Olympic Club exit on Skyline Boulevard, a dangerous area where many bad accidents have occurred over the years. He said what prompted his remarks more than anything else was that he had read in the paper where the Department was given a grant to acquire the additional Solo/Motorcycles in October.

Chief Murphy acknowledging this remark, stated that the program would begin October 1, 20 Solos, radar equipped, salaries for 20 officers and funds for a Traffic Education Vehicle.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy: "I have one item for the Commission requesting that I be authorized to attend the National Executive Institute sponsored by the Federal Bureau of Investigation Training Center, at Quantico, Virginia, and there are three dates: Tuesday, April 29th through Saturday, May 3rd, and then Tuesday, June 17th through June 21st, and then August 12th through August 16th. This is the seminar put on by the National Executive Institute FBI dealing with the use of discretionary force by Police Officers and unfortunately it is a three part seminar and they have broken it up into three different segments and that is the reason for the arrangements being made as they are. We have been asked specifically by the FBI to participate, because, traditionally, over the last 4 years we have not involved ourselves in any training with the FBI at the executive level, nor at the national academy level. Now we are attempting to send officers back to the academy and to have them participate in the training that is available through the FBI."

The matter was then unanimously approved by the Commission.

PETITION FROM TEN MEMBERS OF THE SAN FRANCISCO POLICE DEPARTMENT REQUESTING RECOGNITION OF THE POLICE PISTOL TEAM BY THE POLICE COMMISSION.  
(CONTINUED FROM THE MEETING OF MARCH 12, 1980).-CONTINUED FOR THREE (3) WEEKS.

Inspector Armand Pelessetti, the spokesman for this group, stated via telephone to Lieutenant Frazier that he would not be able to appear to make his presentation and wanted the matter continued for three (3) weeks.



PUBLIC HEARING RELATIVE TO PROPOSED GENERAL  
ORDER REGARDING THE OFFICERS FOR JUSTICE VS.  
CITY AND COUNTY OF SAN FRANCISCO CONSENT DECREE-  
CONTINUED OFF CALENDAR

Deputy Chief James Shannon stated that the Department was requesting that this item be taken off calendar because the Police Officers' Association has requested a Meet and Confer and Staff has not been able to get together with them.

AMENDING THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING PART II, CHAPTER I, (BUILDING CODE) BY AMENDING SECTIONS 1312, 1312.1 AND 1312.2 THEREOF AND BY ADDING SECTIONS 1312.3, 1312.4, 1312.A, AND 1312.B, THERETO: AMENDING PART II, CHAPTER XII (HOUSING CODE), BY AMENDING SECTIONS 309, 713, AND 714 THEREOF, AND BY ADDING SECTIONS 713.A, AND 713.B THERETO: AND BY REPEALING 713.1 THEREOF: AMENDING PART II, CHAPTER VIII (POLICE CODE), BY AMENDING SECTIONS 636, 636.1, 636.2, 636.3, 636.4 AND 636.5 THEREOF: REPEALING SECTIONS 636.6, 636.7, 636.8 AND 636.9 THEREOF: RELATING TO SECURITY REQUIREMENTS FOR GROUP H OCCUPANCIES AND RETROACTIVE APPLICATION THEREOF: ESTABLISHING OPERATIVE DATE.

Lieutenant Timothy Thorsen of the Crime Education Unit spoke in regard to this item and stated that Security Codes are something that is happening all over the country. He said that in 1975 the Department came up with a Security Code and placed it in the Police Code. He said this was to provide security requirements for H Occupancies only (3 units or more). He said that towards the end of 1978 they reviewed the code to see as to how it might be implemented, it was found that it was unenforceable. Because of this, he said, the Crime Education Unit met with representatives of the Building Inspection Bureau and re-wrote the code. What has been done, he stated, is take all of the procedures that are viable and transfer them into the other two codes, the Building Code for new Construction and the Housing Code for existing structures. He said the Police Code will retain information that refers to the other code and the Department will be able to exercise enforcement as the penalty sections will also remain and it will be a cooperative venture.

The matter was then unanimously approved.



RESOLUTION NO. 201-80

AMENDING THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING PART II, CHAPTER I (BUILDING CODE) BY AMENDING SECTIONS 1312, 1312.1 AND 1312.2 THEREOF AND BY ADDING SECTIONS 1312.3, 1312.4, 1312.A AND 1312.B THERETO; AMENDING PART II, CHAPTER XII (HOUSING CODE), BY AMENDING SECTIONS 309, 713, AND 714 THEREOF; AND BY ADDING SECTIONS 713.A AND 713.B THERETO; AND BY REPEALING 713.1 THEREOF; AMENDING PART II, CHAPTER VIII (POLICE CODE) BY AMENDING SECTIONS 636, 636.1, 636.2, 636.3, 636.4 AND 636.5 THEREOF; REPEALING SECTIONS 636.6, 636.7, 636.8 AND 636.9 THEREOF; RELATING TO SECURITY REQUIREMENTS FOR GROUP H OCCUPANCIES AND RETROACTIVE APPLICATION THEREOF; ESTABLISHING OPERATIVE DATE.

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WHEREAS, amending Police Code Section 636 through 636.9 by transferring the desired Security Provisions to the San Francisco Building Code for new construction and the San Francisco Housing Code for existing structures; and

WHEREAS, the Security Ordinance in the San Francisco Police Code (section 636 through 636.9) has been found to be unenforceable; and

WHEREAS, it is desireable to transfer the security provisions in these Sections to the San Francisco Building Code and the San Francisco Housing code so that they can more efficiently be enforced by the Bureau of Building Inspection with the San Francisco Police Department retaining enforcement authority if the need arises; and

WHEREAS, many additional security matters have been addressed in the revised Code that were not so addressed in the Police Code; therefore be it

RESOLVED, that the revised Code be forwarded to the Board of Supervisors for adoption by amending the San Francisco Municipal Code by amending Part II, Chapter I (Building Code) by amending Sections 1312, 1312.1, and 1312.2 thereof and by adding Sections 1312.3, 1312.4, 1312.A and 1312.B, thereto; amending Part II, Chapter XII (Housing Code) by amending Sections 309, 713 and 714 thereof, and by adding Sections 713.A, and 713.B thereto; and by repealing 713.1 thereof; amending Part II, Chapter VIII (Police Code) by amending Sections 636, 636.1, 636.2, 636.3, 636.4 and 636.5 thereof; repealing Sections 636.6, 636.7, 636.8 and 636.9 thereof, relating to security requirements for Group H occupancies and retroactive application thereof; Establishing Operative Date.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler



RESOLUTION NO. 202-80

STATUS REPORT IN THE MATTER OF SERGEANT HARVEY HARRISON, SUPPORT SERVICES BUREAU - COMMUNICATIONS DIVISION

WHEREAS, the status report in the matter of Sergeant Harvey Harrison, Support Services Bureau-Communications Division, was called; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Sergeant Harrison, that Sergeant Harrison's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

RESOLVED, that the date for a status report in the matter of Sergeant Harvey Harrison, Support Services Bureau-Communications Division, is set for Wednesday, May 21, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 203-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER JAMES GALLAGHER, SUPPORT SERVICES BUREAU - RECORDS DIVISION

WHEREAS, the status report in the matter of Police Officer James Gallagher, Support Services Bureau-Records Division, was called; and

WHEREAS, it was requested by Mr. Joseph O'Sullivan, Attorney at Law, that Officer Gallagher's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

RESOLVED, that the date for a status report in the matter of Officer James Gallagher,



Support Services Bureau, Records Division, is set for Wednesday, May 21, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 204-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER PETER LIBERT, SUPPORT SERVICES BUREAU - COMMUNICATIONS DIVISION

WHEREAS, the status report in the matter of Police Officer Peter Libert, Support Services Bureau-Communications Division, was called; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Officer Libert, that Officer Libert's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

RESOLVED, that the date for a status report in the matter of Officer Peter Libert, Support Services Bureau-Communications Division, is set for Wednesday, May 21, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 205-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER LEE MC VEIGH, SUPPORT SERVICES BUREAU - RECORDS DIVISION

WHEREAS, the status report in the matter of Police Officer Lee McVeigh, Support Services Bureau-Records Division, was called; and



WHEREAS, it was requested by Mr. Joseph O'Sullivan, attorney for Officer Lee McVeigh, that Officer McVeigh's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

RESOLVED, that the date for a status report in the matter of Officer McVeigh, Support Services Bureau-Records Division, is set for Wednesday, May 21, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

RESOLUTION NO. 206-80

STATUS REPORT IN THE MATTER OF POLICE OFFICER HAROLD WINKLER, SUPPORT SERVICES BUREAU - COMMUNICATIONS DIVISION

WHEREAS the status report in the matter of Police Officer Harold Winkler, Support Services Bureau-Communications Division, was called; and

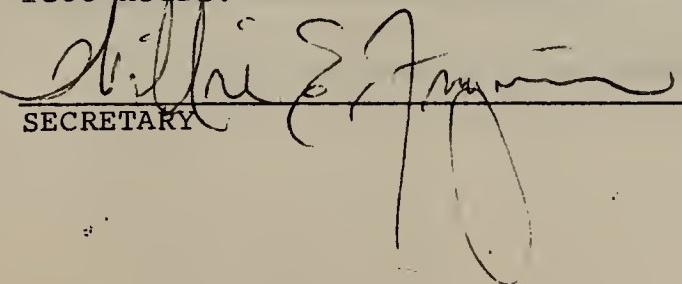
WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Officer Harold Winkler, that Officer Winkler's hearing before the Police Commission be continued until after the criminal matter against him has been adjudicated; therefore be it

RESOLVED, that the date for a status report in the matter of Police Officer Harold Winkler, Support Services Bureau-Communications Division, is set for Wednesday, May 21, 1980 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

NOT VOTING: Commissioner Toler

The Commission then adjourned its meeting at 1800 hours.

  
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SECRETARY



SF  
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30 APRIL 1980

REGULAR MEETING

*Minutes*  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 30, 1980 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy,  
Sanchez  
DOCUMENTS DEPT.

Commissioner Sanchez presiding.

JUL 17 1980

SAN FRANCISCO  
PUBLIC LIBRARY

PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Sanchez: "This afternoon we have the presentation of the Medal of Valor Awards and Certificates. Commission Daly, if you will carry on then we will have discussions by the other Commissioners prior to the actual awards themselves."

Commissioner Daly: "Well I would like to say that since my appointment in January this was my first opportunity to chair the Awards Committee and it is one of the most personally rewarding experiences for me. It's one thing, despite the statistics, of how our police force operates, and it is one thing to indicate on 8 occasions where loaded weapons were utilized against members of our department, and on only two occasions did our officers resort to the use of weapons and that was out of absolute necessity. The concern for life and safety of suspects and innocent citizens, the realization of the serious finality involved in the use of such weaponry, the restraint demonstrated during incalculable situations, may all be the result of an excellent police academy training program. But I believe, after studying these cases, rather than a conditioned response, these acts of bravery and valor indicate more the character of the women and men on our force which includes a clearly inculcated understanding of what humanity is all about and this idealistically is what police work is all about. We are proud of you and I appreciate the opportunity to recognize your courage, your valor, and your commitment to the people of this city."

Commissioners Murphy, Toler, Nelder and Sanchez then joined in similar praise for the officers receiving these awards.

PRESENTATION OF THE MEDAL OF VALOR AWARDS AND CERTIFICATES

The following-named members of the Police



Department were presented Medal of Valor Awards and Certificates at the Commission Meeting by Commissioner Daly:

Sergeant James F. Martinez.....Gold Medal  
Officer Edward Geeter.....Gold Medal  
Sergeant John J. Forbes.....Silver Medal  
Inspector Napoleon L. Hendrix.....Silver Medal  
Assistant Inspector Gregory Corrales.....Silver Star  
Assistant Inspector Marvin V. Dean.....Silver Medal  
Officer John D. Brandt.....Silver Medal  
Officer Gerald P. Calgaro.....Silver Medal  
Officer Ignacio Fuentes.....Silver Medal  
Officer Daniel P. Gardner.....Silver Medal  
Officer Gabriel P. Harp.....Silver Star  
Officer Marion D. Jackson.....Silver Star  
Officer James R. Long.....Silver Medal  
Officer Bruce F. Marovich.....Silver Medal  
Officer Brian P. Rabbitt.....Silver Medal  
Officer Edward M. Rodriguez.....Silver Star  
Officer Robert A. Srock.....Silver Medal  
Officer Joseph A. Zamagni.....Silver Star  
Officer John P. Fewer.....Bronze Medal  
Officer Thomas J. Gerard.....Bronze Star  
Officer John A. Mino.....Bronze Medal  
Officer James T. Spillane.....Meritorious Conduct Award  
Officer George S. Stasko.....Meritorious Conduct Award

Commissioner Sanchez: "Okay Lieutenant, the Commission would like to state that perhaps from now on the Awards ceremony could always be scheduled for 1730 hours even though the Commission will be at 1700 hours. This way, rather than change our



form letters basically they have 30 minutes for the meeting or at least to get here with their families after their tours of duty. So why don't we just perhaps, schedule, hereafter, 1730 hours for future awards ceremonies. The only other topic that I would like to just state for the record is that the Commission did meet in Executive Session to review personnel matters and there was no vote taken. Thank you."

The Commissioners, having received, amended and returned copies of the minutes of the meetings of March 19, 1980 and March 26, 1980, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU

Sergeant William Hardeman, Traffic Survey Division: "Commissioners, to move the traffic portion of the Consent Calendar along, I would like to begin with the items in which the Department is recommending a denial. The first item would be item #5, that's Wong's Hi-Fi at 900 Leavenworth Street."

There were no protestants on this item.

Item #6 - 635 Vallejo Street - Gloria Sausage Company;  
No Protestants.

Item #7 - 5037 - 3rd Street - Bay View Hunters Point Improvement Foundation.

Recommended denial because of not enough use. Mr. Fuller, who operates a Pharmacy in the area appeared and stated that he was requesting that the red zone at 5033 Third Street and all other white zones in that area be changed to allow the installation of parking meters.

Commissioner Sanchez then stated that Mr. Fuller is two steps ahead of the Department in conducting its own review and assessment of zones in that area that are no longer utilized and that, therefore, item #7 could be kept on calendar until the department comes back after further survey with recommendations on additional changes.



Item #8 - 865 Jackson Street - Cumberland Presbyterian Chinese Church.

Department recommended denial and Reverend Ernest Chan appeared on behalf of this request. After much discussion on this item the Commission moved to put it over for one (1) week,

Item #9 - 592 Vallejo Street - New Chinatown Plumbing & Hardware.

Department recommended denial on the request for a second yellow zone. Mr. Thomas Jeung appeared on behalf of the applicant and presented photographs to substantiate his position.

Commissioner Nelder stated that he felt the Traffic Division's recommendation of portable no parking signs would solve this applicants problem and so moved.

Item #2 - 298-5th Avenue - Joe's Medium Rare - Approved on March 12, 1980.

This item was requested by neighboring businesses for a re-hearing in protest of its previous approval by the Commission. The following persons appeared requesting that the White Zone be revoked and parking meters restored were as follows:

Mr. Al Giannini, President of the Clement Streets Merchants' Association.

Mr. David Daucher, Vice President of the Clement Street Merchants' Association.

Mr. James Travis, Attorney

Mrs. Maryann Ruth Hartman, Tailor Shop Operator.

Mr. John McGoldrich, Block Representative for Project S.A.F.E.

After listening to testimony of the above the matter was moved and seconded to have it severed from the other items with the provision that the Department, and Mr. Hanaman, the applicant, and the various neighborhood people, including those above, review it once again and return with all interested parties for a further hearing at next week's Police Commission meeting.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the



Traffic Bureau on the installation of zoning  
for the regulation of traffic on the public  
streets, be, and the same are hereby approved:

641 VALLEJO STREET - ADOLPH'S RESTAURANT

- a) At 641 Vallejo Street, install a 20' white zone, extending from 40' to 60' west of east building line.
- b) Place sign on meter "Passenger loading zone after 6P.M."

1601 NORTH POINT - NEW WEST TRAVEL

- a) At 1601 North Point, install a 22' green zone, extending from east property line 22' west of same.

1020 FOLSOM STREET - BAY CASKET COMPANY

- a) At 1020 Folsom Street, install a 27' yellow zone, extending from 35' to 62' west of east building line.

3090-17th STREET - RITE SPOT CAFE

- a) At 3090-17th Street, install a 22' yellow zone, extending from 12' to 34' east of west building line.

900 LEAVENWORTH STREET - WONG'S HI-FI

- a) At 900 Leavenworth Street, install a 10' extension to existing 22' yellow zone, which extends from 23' to 45' north of Bush Street.

635 VALLEJO STREET - GLORIA'S SAUSAGE COMPANY - DENIED

- a) At 635 Vallejo Street, install a 21' yellow zone, extending from 19' to 40' west of east property line. DENIED.

5037-3rd STREET - BAY VIEW HUNTERS POINT IMPROVEMENT FOUNDATION - CONTINUED OFF CALENDAR

- a) At 5037-3rd Street; install a 28' white zone,



extending from 48' to 76' north of Revere Street. Continued Off Calendar.

- b) Revoke 28' of red zone from 48' to 76' north of Revere Street. Continued Off Calendar.

865 JACKSON STREET - CUMBERLAND PRESBYTERIAN CHINESE CHURCH - CONTINUED FOR ONE (1) WEEK

- a) At 865 Jackson Street, install a 44' white zone, extending from 4' to 48' west of east property line. Continued For One Week.
- b) Install a 22' white zone, extending from east property line 22' west of same. Remove meters JAC 837-847-845. Continued For One Week.

592 VALLEJO STREET - NEW CHINATOWN PLUMBING & HARDWARE - DENIED

- a) At 592 Vallejo Street, install a 22' yellow zone, extending from 38' to 60' west of Margrave Place. DENIED.

1101 STANYAN STREET - S.F.P.D. - REVOKED

- a) At 1101 Stanyan Street, revoke existing 25' green zone, extending from 3' to 28' south of north property line. REVOKED

298-5th AVENUE - JOE'S MEDIUM RARE - CONTINUED OFF CALENDAR

- a) At 298-5th Avenue, install a 44' white zone, extending from 10' to 53' east of west property line. Continued Off Calendar.
- b) Remove meters 5th Avenue #298 and 296. Continued Off Calendar.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 25 feet of green zoning, at the part of the City, at the



location submitted, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 207-80

AUDREY BREAZEAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Audrey Breazear against the City and County of San Francisco in the sum of \$56.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 25, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 208-80

REBECCA A. HERRING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rebecca A. Herring against the City and County of San Francisco in the sum of \$36.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 6, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 209-80

RONALD M. KING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald M. King against the City and County of San Francisco



in the sum of \$40.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 21, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 210-80

JOHN DOE I AND JOHN DOE II AND THEIR  
ATTORNEY NEIL F. HORTON, EARL D. OSBORN,  
JOHNSTON & KLEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Doe I and John Doe II and their attorney, Neil F. Horton, Earl D. Osborn, Johnston & Klein against the City and County of San Francisco in the sum of \$104.15 in Compromise of Superior Court Action No. 747-416 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 8, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RETIREMENT

A communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Police Officer Burl McConnell, Park Police Station, for service, effective April 11, 1980.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 212-80

RECOMMENDATION OF THE CHIEF OF POLICE THAT THIRTY-FIVE PERSONNEL OF THE FIELD OPERATIONS BUREAU, PATROL DIVISION, BE GRANTED PERMISSION TO ATTEND A FIELD TRAINING OFFICER SEMINAR AT SANTA CRUZ, CALIFORNIA, FROM JUNE 15,



1980 TO JUNE 20, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that thirty-five personnel of the Field Operations Bureau, Patrol Division, be detailed to attend a Field Training Officer Seminar at Santa Cruz, California, from June 15, 1980 to June 20, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred for this seminar, in a sum not to exceed \$10,000.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 218-80

AUTHORIZING ATTENDANCE OF LIEUTENANT DANIEL J. MURPHY, INTELLIGENCE UNIT, AT THE NATIONAL LAW ENFORCEMENT INTELLIGENCE CONFERENCE AT CHERRY HILLS, NEW JERSEY, FROM MAY 13, 1980 TO MAY 16, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Daniel J. Murphy, Intelligence Unit, be detailed to attend the National Law Enforcement Intelligence Conference at Cherry Hills, New Jersey, from May 13, 1980 to May 16, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Murphy, in a sum not to exceed \$918.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 217-80

RECOMMENDATION OF THE CHIEF OF POLICE THAT LIEUTENANT RICHARD D. KLAPP, PERSONNEL AND TRAINING, AND SERGEANT WILLIAM F. KIDD, SOUTHEAST STATION, BE GRANTED PERMISSION



TO ATTEND THE ANNUAL TRAINING CONFERENCE IN SAN DIEGO, CALIFORNIA, FROM MAY 19, 1980 TO MAY 21, 1980, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard D. Klapp, Personnel and Training, and Sergeant William F. Kidd, Southeast Station, be detailed to attend the Annual Training Conference in San Diego, California, from May 19, 1980 to May 21, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Richard D. Klapp and Sergeant William F. Kidd, in a sum not to exceed \$304.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

At this point the Commission decided to entertain an Added Item to the Calendar, which is:

ADDING SECTION 10.116.1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO PROVIDE FOR THE ACCEPTANCE OF GIFTS BY THE SAN FRANCISCO POLICE DEPARTMENT TO AID IN THE FUNDING OF PROJECT "SAN FRANCISCO SAFE."

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Lieutenant Frank Jordan appeared on behalf of this item and stated that it has been a highly successful four year program, a joint cooperative effort between the citizens of San Francisco and the Police Department, to reduce opportunities for crime and to have more citizens active in reducing opportunities for crime in their neighborhoods. He continued by saying that this particular year funding for the Project is not in the Police Department's Budget and that is the reason why they are appearing before the Commission tonight requesting approval of this ordinance which would allow S.A.F.E., to be categorized in terms of a non-profit tax-exempt status corporation for Project SAFE where citizens now would be involved in financing the program to keep it alive and to still cooperate fully with the San Francisco Police Department. He then introduced the Chairperson of the City-wide SAFE ADVISORY Council, Mrs. Jean Wollenberg.

Mrs. Wollenberg then gave an overview of some of the problems they were facing to keep the Project alive. She stated that they filed their Articles of Corporation April 7, and has just received their California Tax Exemption Papers which are



retroactive to that date. She said they are also applying for the Federal Exemption and when it will be forthcoming is unknown at this time. She said that she, at the present time, is the sole incorporator of the non-profit corporation designated San Francisco SAFE. She said the Mayor is aware that they have the Tax Exempt Papers and has given SAFE her full support. She then presented to the Commission the Articles and By-laws, as filed, of the new corporation.

Commissioner Sanchez then thanked Mrs. Wollenberg and Lieutenant Jordan for their presentation and the item was approved.

RESOLUTION NO. 216-80

ADDING SECTION 10.116.1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO PROVIDE FOR THE ACCEPTANCE OF GIFTS BY THE SAN FRANCISCO POLICE DEPARTMENT TO AID IN THE FUNDING OF PROJECT "SAN FRANCISCO SAFE."

WHEREAS, Project SAFE has been funded in the San Francisco Police Department budget and this will not be possible in the 1980-81 fiscal year; and

WHEREAS, Project SAFE has applied for a non-profit tax-exempt status, which will enable it to use other sources of funding; and

WHEREAS, Project SAFE has expressed a desire to continue to cooperate with the staff of the San Francisco Police Department in administering Project SAFE; and.

WHEREAS, in order to provide for acceptance of funds to carry on this worthwhile effort an Ordinance is necessary which will authorize the Chief of Police to accept gifts which are not currently acceptable by him; therefore be it

RESOLVED, that the San Francisco Police Commission does hereby request the Board of Supervisors to adopt the attached Ordinance which will authorize the Chief of Police to accept gifts on behalf of the City and County of San Francisco for use in funding the continued efforts of Project SAFE.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



POLICE COMMISSION REPORT

Commissioner Sanchez: "I believe in the not too distant future we will be getting a monthly account of our Department's sort of status report as far as amount of monies appropriated for the year and then how the monies have been spent, etcetera, which will be coming in. There will be further discussion on this in the future but this was requested a few months back and at this point we will be following up on that."

Chief Shannon we will be talking about that later on for next week."

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Shannon: "Just one short point. I attended a meeting with the Mayor's Budget Staff and it appears that the budget looks good if the Mayor's fiscal package goes through. I would like to mention that Propositions O, P, Q, R, and S are the Mayor's package and O, Q, R, and S must pass by a 2/3rds vote. These are tax increase measures. Proposition P is one in which the amount of time is extended for pensions to amortize, from 14 years to 20 years. This will produce a 1st year savings of 26 million dollars. If these items pass and if Proposition 9 doesn't pass, we will be in very good shape, next year, with our budget."

RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Sanchez: "I would just like to state that the two golds in this case were men directly involved in the line of duty who fought with assailants who had weapons and both the assailants pulled the trigger on both of our officers. And either by jamming the gun or taking the gun away in the process. Rather than, perhaps, granting them an award after they were literally killed, thank god they will be here personally to receive it at that time. So, again, I just want to congratulate the Department on its high degree of tolerance and professionalism and sense of humanity in training the men and women of this Department. So I would move that the recommendations by the Awards Committee be approved as submitted."

The date for the presentation was set for May 14th.



RESOLUTION NO. 213-80

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, Bronze Medal, and Meritorious Conduct Award, under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, April 25, 1980:

Sergeant James F. Martinez....Gold Medal of Valor  
Officer Edward Geeter.....Gold Medal of Valor  
Sergeant John J. Forbes.....Silver Medal of Valor  
Inspector Napoleon L. Hendrix.Silver Medal of Valor  
Assistant Inspector Gregory  
Corrales..Silver Medal of Valor  
Assistant Inspector Marvin V.  
Dean.....Silver Medal of Valor  
Officer John D. Brandt.....Silver Medal of Valor  
Officer Gerald P. Calgaro.....Silver Medal of Valor  
Officer Ignacio Fuentes.....Silver Medal of Valor  
Officer Daniel P. Gardner.....Silver Medal of Valor  
Officer Gabriel P. Harp.....Silver Medal of Valor  
Officer Marion D. Jackson.....Silver Medal of Valor  
Officer James R. Long.....Silver Medal of Valor  
Officer Bruce F. Marovich.....Silver Medal of Valor  
Officer Brian P. Rabbitt.....Silver Medal of Valor  
Officer Edward M. Rodriguez...Silver Medal of Valor  
Officer Robert A. Srock.....Silver Medal of Valor  
Officer Joseph A. Zamagni.....Silver Medal of Valor  
Officer John P. Fewer.....Bronze Medal of Valor  
Officer Thomas J. Gerard.....Bronze Medal of Valor  
Officer John A. Mino.....Bronze Medal of Valor  
Officer James T. Spillane.....Meritorious Conduct Award  
Officer George S. Stasko.....Meritorious Conduct Award

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 214-80

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, April 30, 1980; and

WHEREAS, Chief of Police Cornelius P. Murphy has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Sergeant James F. Martinez and Police Officer Edward Geeter, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant John J. Forbes, Inspector Napoleon L. Hendrix, Assistant Inspectors Gregory Corrales and Marvin V. Dean, Police Officers John D. Brandt, Gerald P. Calgaro, Ignacio Fuentes, Daniel P. Gardner, Gabriel P. Harp, Marion D. Jackson, James R. Long, Bruce F. Marovich, Brian P. Rabbitt, Edward M. Rodriguez, Robert A. Srock, and Joseph A. Zamagni, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers John P. Fewer, Thomas J. Gerard, and John A. Mino, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers James T. Spillane and George S. Stasko, be, and they are hereby awarded Meritorious Conduct Awards, and granted a reward of \$50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



PUBLIC HEARING RELATIVE TO GROOMING STANDARDS  
FOR FEMALE OFFICERS

Deputy Chief Shannon: "Commissioners, we found out when we started bringing in the new recruit classes that we did not have grooming standards that have been approved by the Police Commission for the women police officers. So a standard was developed and it was sent to the different employee associations for their comments and meet and confer, if they requested it. We received one small change from the Police Officers' Association. We thought that was the only change requested so we presented to the Police Commission the rule as presently in your folders. After it was presented to the Commission I received a message from the President of the Police Officers' Association, Mr. Bob Barry, requesting a meeting because there were women in the Police Department who requested a change. We had two meetings and I would like to suggest a change, and if the Commission concurs, the last sentence of the Rule would be changed to, 'Hair clips or pins that match the color of the hair may be worn except during physical training at the Police Academy when no clips, pins or sweat bands shall be permitted.' This would allow a recruit officer, or any other officers to have clips or pins as long as they matched the color of their hair and as long as their hair could be worn in such a manner that either the recruit cap, which is a baseball-type cap or the official police hat could be worn and it would be just during physical training that they couldn't have the clips or pins in their hair."

Commissioner Sanchez: "Commissioner Daly would you like to make some comments? I know you have spent a great deal of time along with the Department on this matter."

Commissioner Daly: "Well, it has come to my attention that no protective headgear is being worn during physical training on the mats and also I am aware of our fiscal problems in providing such headgear. I don't want this as part of this particular rule but I would like to know about how we would go about implementing the permission for a recruit officer who voluntarily wishes to wear protective headgear for physical training and personally chooses to purchase such headgear and be permitted to do so?"

Deputy Chief Shannon: "I don't think it should be part of this rule either because this rule is for the whole department and will be distributed to the whole department. Possibly, a resolution directing that the Police Academy allow persons, if they wish to wear protective headgear, be allowed to if they are willing to purchase same for themselves."



Commissioner Daly: "That would be great."

Commissioner Sanchez: "Well right now we have a motion and a second before us pertaining to the approval of Section 2.38.1 which has been amended as so stated. Is there further discussion or comment from either the Commission or is there any discussion or comment from the public or any of the organizations?"

Commissioner Nelder: "Well, I think Mr. President, this rule is inclusive the way it is. Any addition or addendum that is outlined by Commissioner Daly will simply be operational, or what they do from a standpoint of in-service training. And I think they could do that based on an order or directive. I don't think that would be required to be in the rule."

Deputy Chief Shannon: "I will see that an order comes from my office to the Police Academy, as they are under my direct command, and that point will be added."

Robert Barry: "Commissioners, I just want to thank the Chief for all of the effort he has put into this. We had a lot of concern aired by various women officers, presently in and out of the Police Academy, and we feel that without restricting the Police Department and without interfering with any safety issues, we think that the Department bent over backwards in looking for an alternative here and we really thank them very much for doing so, and we thank you."

RESOLUTION NO. 215-80.

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE  
DEPARTMENT - APPROVED

RESOLVED that effective at 0001 hours, Thursday, May 1, 1980, the following amendment to the Rules and Procedures of the San Francisco Police Department, be, and the same is hereby approved:

AMENDING  
RULE 2.38.1

GROOMING STANDARDS FOR FEMALE  
OFFICERS

Female officers' hair shall be clean, trimmed and present a groomed appearance; while in uniform, hair shall be worn so

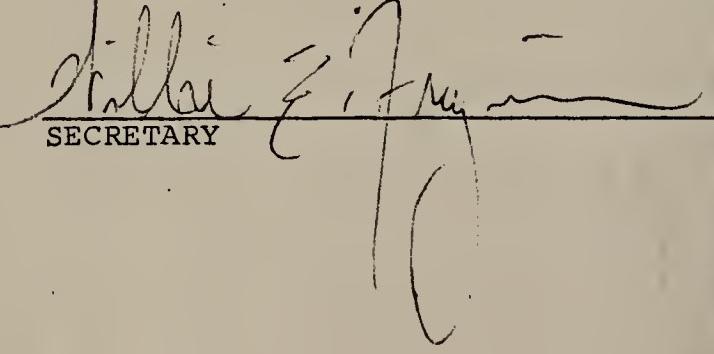


that it does not extend below the bottom of the collar. Hair styles that preclude the wearing of the uniform cap in the accepted manner shall not be permitted. No decoration shall be worn in the hair. hair clips or pins that match the color or the hair may be worn except during physical training at the Police Academy when no clips,pins or sweat bands shall be permitted.

AYES: Commissioners Daly,Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez: "If there are no further matters to be discussed then the Chair moves that the meeting be adjourned in memory of those servicemen who were injured or killed in their efforts to rescue American hostages in Iran."

The Commission then adjourned its meeting at 1905 hours.

  
William Z. French  
SECRETARY













